

EVI DIXON

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BUTTE DIVISION</p> <hr/> <p>JOHN MEYER, Plaintiff, vs. Cause No. 18-CV-00002-BMM BIG SKY RESORT, Defendant.</p> <hr/> <p style="text-align: center;">VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION OF EVI DIXON</p> <hr/> <p>BE IT REMEMBERED, that the videotaped deposition upon oral examination of EVI DIXON, appearing at the instance of Defendant, was taken at the offices of Crowley Fleck, PLLP, 1915 South 19th Avenue, Bozeman, Montana, 59718, on the 9th day of March 2020, beginning at the hour of 10:01 a.m. pursuant to the Federal Rules of Civil Procedure, before Marla Jeske, Court Reporter - Notary Public, CSR.</p>	<p style="text-align: right;">Page 3</p> <p style="text-align: center;">I N D E X</p> <p>EXAMINATION OF EVI DIXON BY PAGE Mr. Ian McIntosh, Esq.....6, 94 Ms. Breean Walas, Esq.....81</p> <p>EXHIBITS REFERRED TO: Exhibit 24.....19 Exhibit 25.....19 Exhibit 29.....19, 68-69 Exhibit 70.....29</p> <p>DEPOSITION EXHIBITS: Exhibit 89 E-mail between Evi Dixon and Ryan Ayres, dated October 6, 2019.....76 Exhibit 90 West's Montana Code Annotated MCA 45-7-201 45-7-201.Perjury Currentness.....21-22 Exhibit 91 Packet of documents labeled E.Dixon001 through E.Dixon060..26-27, 29, 31, 41-43, 46, 84, 88 Exhibit 92 Excerpt from John Meyer's deposition dated April 9, 2019.....38 Exhibit 93 E-mails between Evi Dixon and John Meyer Bates Numbered E.Dixon063 through E.Dixon068.....41, 46, 57, 59, 60, 86 Exhibit 94 E-mails between Evi Dixon and John Meyer Bates Numbered E.Dixon069 through E.Dixon087.....61-63, 65, 69-71 Exhibit 95 Letter to Mr. Meyer from Ian McIntosh, dated December 27, 2017.....60 Exhibit 96 E-mails between Evi Dixon and John Meyer Bates Numbered E.Dixon088 through E.Dixon099.....73</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES 2 3 ATTORNEY APPEARING ON BEHALF OF THE 4 PLAINTIFF, JOHN MEYER: 5 Ms. Breean Walas, Esq. 6 Walas Law Firm 7 P.O. Box 4591 8 Bozeman, Montana 59772 9 breean@walaslawfirm.com 10 (501) 246-1067 11 ATTORNEYS APPEARING ON BEHALF OF THE 12 DEFENDANT, BIG SKY RESORT: 13 Mr. Ian McIntosh, Esq. 14 Mr. Mac Morris, Esq. 15 CROWLEY FLECK PLLP 16 1915 South 19th Avenue 17 P.O. Box 10969 18 Bozeman, MT 59719-0969 19 imcintosh@crowleyfleck.com 20 wmmorris@crowleyfleck.com 21 (406) 556-1430 22 ALSO PRESENT: 23 Mike Unruh 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 WHEREUPON, the following proceedings were had 2 and testimony taken, to-wit: 3 4 * * * * * 5 6 VIDEO TECHNICIAN: This is the time and place 7 set for the video deposition of Evi Dixon in the 8 case of John Meyer, plaintiff, versus Big Sky 9 Resort, defendant. It is Cause Number 10 18-CV-0002-BMM in the United States District Court 11 for the District of Montana, Butte Division. 12 This video deposition is being held at 13 the offices of Crowley Fleck, located at 1915 19th 14 Avenue in Bozeman, Montana. 15 Today's date is March 9th, 2020. The 16 time is 10:01 a.m. The court reporter is Marla 17 Jeske with Bridger Court Reporting. I'm Mark 18 Brown, the videographer. 19 Will the attorneys now please identify 20 themselves for the record. 21 MS. WALAS: Breean Walas for the plaintiff. 22 MR. McINTOSH: Ian McIntosh and Mac Morris 23 for Defendant Big Sky Resort. 24 VIDEO TECHNICIAN: Will the witness now 25 please be sworn in.</p>

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<p>1 EVI DIXON, 2 called as a witness herein, having been first duly 3 sworn, was examined and testified as follows: 4 5 MS. WALAS: The parties have agreed that the 6 second deposition of plaintiff's expert Evi Dixon 7 shall be taken at plaintiff's expense and is 8 limited to questioning regarding the documents 9 produced by Ms. Dixon since her first deposition 10 taken January 24th, 2020. 11 Those documents have been identified as 12 E.Dixon 1 to 99, and the documents produced today 13 prior to this deposition, E.Dixon 100 to 115. 14 MR. McINTOSH: Thank you. And, of course, 15 that's agreeable. But as indicated in my e-mail, 16 some of the materials that were recently produced 17 touch on subjects that were already raised in the 18 first deposition and we would have asked 19 questions differently if we would have had the 20 questions -- or, excuse me, if we would have had 21 the documents during the first deposition. So I 22 certainly don't intend to re-plow any ground from 23 the first deposition, but it may touch on subjects 24 of the first deposition. 25 ///</p>	<p>1 A. I don't think I lied about it because I 2 did not have any communication about the case with 3 John Meyer, because you came to me and said I'm not 4 supposed to talk to him and I said no, I'm not 5 talking to him about the case. 6 Q. I'm going to hand you a copy of your 7 prior deposition transcript. Open to page 7. 8 A. Okay. 9 Q. You looking at page 7? 10 A. Yep, page 25 to 28 page. 11 Q. No. 12 A. Page 7? 13 Q. Page 7. 14 A. So which number do you count, the first 15 or the second or the third? 16 Q. Page 7 of the deposition transcript. 17 A. Okay. 18 Q. Page 7 of the deposition transcript. 19 A. Yep. 20 Q. This is the page number. 21 A. Well, then you need to say the second. 22 Q. At line 2 you were asked, "So are you 23 prepared to give accurate and truthful testimony 24 today?" And you said "Yes," didn't you? 25 A. "So you are prepared to give accurate,"</p>
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<p>1 EXAMINATION 2 BY MR. McINTOSH: 3 Q. Ms. Dixon, you were just sworn and you 4 said you would tell the truth, correct? 5 A. Correct. 6 Q. And you said you would tell the truth 7 the first time you were deposed on January 24, 8 2020; is that right? 9 A. Yes. 10 Q. But you lied repeatedly during your 11 deposition, didn't you? 12 A. I don't think so. 13 Q. You made false statements throughout 14 your first deposition, didn't you? 15 A. No. 16 Q. Well, you were repeatedly asked if you'd 17 had any communications with John Meyer and you said 18 under oath no, that you didn't; right? 19 A. That I didn't have communication with 20 John Meyer? I don't know what to say. For this 21 case, during my employment in Big Sky. 22 Q. No, that's not what you said. You said 23 you hadn't had any communications with John Meyer 24 about anything other than pictures of your alpacas, 25 and that was false testimony under oath, wasn't it?</p>	<p>1 yep. 2 Q. That's what you said. So when we were 3 here previously, you testified that you were going 4 to tell the truth, right? 5 A. Yes. 6 Q. Look to page 13 of the deposition 7 transcript. 8 A. Yep. Which line? 9 Q. Starting at line 20, you were asked, 10 "And did you comply with the subpoena?" What was 11 your answer under oath? 12 A. I said I didn't have any messages with 13 John about his accident. 14 Q. That was a lie, wasn't it? 15 A. Well, it was obviously not true 16 because -- yeah, it was after I did not get hired 17 by Big Sky Resort, then I had communications with 18 John Meyer and you guys had that. John Meyer sent 19 that all to you. 20 Q. No, we did not have it. We asked you to 21 produce it with a subpoena and you failed to 22 produce it and then you lied about it in your 23 deposition, didn't you? 24 A. I might not have understood what exactly 25 you mean. I didn't lie on purpose. I mean, I</p>

<p style="text-align: right;">Page 9</p> <p>1 would have said -- if you asked me the question, 2 did you have any communication with John Meyer 3 starting in November, I would have said yes 4 because I -- 5 Q. The next question you were asked was, 6 "You've never had any correspondence with Mr. Meyer 7 about his accident," right? That's what you were 8 asked on page 13, line 23; correct? 9 A. Yep, yep. 10 Q. And your answer was "During -- during 11 the time his lawsuit is going, no." That was a 12 lie, wasn't it? 13 A. I don't remember. 14 Q. There's nothing to remember. 15 A. Yeah, I know it sitting here, but I mean 16 for me it was -- I don't understand. Because when 17 he hired me to be an expert witness, of course we 18 had communications. But during my employment in 19 Big Sky, I did not have any communication with John 20 Meyer. And in my opinion, because we had this talk 21 up in my office that -- when you came up to me and 22 said you are not supposed to talk to John Meyer, do 23 you remember that? You said you're friends on 24 Facebook with John Meyer and you're not supposed to 25 talk with John Meyer, and I never did.</p>	<p style="text-align: right;">Page 11</p> <p>1 A. To me it was because it was -- to me it 2 was clear that since I was hired as an expert 3 witness that we had communications about the 4 accident. 5 Q. So why didn't you tell me that when you 6 were testifying under oath? 7 A. I don't know why I didn't tell you that. 8 Q. You didn't tell me that because you were 9 trying to cover up the truth, weren't you? 10 A. No, I wasn't trying to cover up the 11 truth. 12 Q. Because you didn't want to answer 13 questions about what you talked about with 14 Mr. Meyer, correct? 15 A. No. 16 Q. So why then did you lie under oath? 17 A. I don't know. 18 Q. You just lied for no reason? 19 A. I didn't want to lie. I had a totally 20 misunderstanding. 21 Q. Did Mr. Meyer tell you not to tell me 22 about your conversations with him? 23 MS. WALAS: Objection. 24 THE WITNESS: No. 25 ///</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. You're lying again right now in this 2 deposition, aren't you, Ms. Dixon? 3 A. I'm -- and then when he hired me as an 4 expert witness, yes, we had communication about his 5 accident. 6 Q. Look at page 15, line 6 of your prior 7 deposition testimony. I asked you, "Did you have 8 any written correspondence either by e-mail, text, 9 Facebook, any method with Mr. Meyer?" 10 Your answer was, "Probably thanking him 11 for the pictures he took of my alpacas." 12 And then I said, "Anything else?" 13 And your answer under oath was "No," 14 wasn't it? 15 A. Yep. Again, with my consideration that 16 you were talking about during my employment with 17 Big Sky. 18 Q. That is not what that question asked. 19 You lied under oath, didn't you? 20 A. Yep, am I going to go to jail now? 21 Q. So you admit that you lied under oath? 22 A. Well, because my understanding was 23 something different. 24 Q. When someone says to you "Anything 25 else," that's not a confusing question, is it?</p>	<p style="text-align: right;">Page 12</p> <p>1 BY MR. McINTOSH: 2 Q. So you just chose to not tell the truth 3 on your own? 4 MS. WALAS: Objection. This is beyond the 5 scope of the documents that have been produced. 6 THE WITNESS: I -- 7 MS. WALAS: Wait, hold on. This is beyond 8 the scope of the deposition. I've given you some 9 leeway on this line of conversation but I think 10 we're getting beyond the scope of the deposition. 11 MR. McINTOSH: It's not beyond it at all. 12 She was asked specifically about these things. She 13 lied under oath and now you've produced the 14 documents that show that her testimony was a lie. 15 MS. WALAS: And you can ask her about the 16 documents. You've already covered this ground and 17 covered this topic, and I think you're getting 18 beyond the scope of the deposition at this point. 19 MR. McINTOSH: If you want to instruct her 20 not to answer, go for it, otherwise I'm going to 21 keep asking the questions. 22 MS. WALAS: On this ground, I think she's 23 already answered this question. Again, this is 24 beyond the scope. If you want to repeat the 25 question, and I'll see if that can be answered and</p>

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<p>1 then I'll -- we'll go from there.</p> <p>2 BY MR. McINTOSH:</p> <p>3 Q. Your first deposition you denied</p> <p>4 having -- excuse me, you denied providing Mr. Meyer</p> <p>5 with the e-mail addresses of all the ski</p> <p>6 patrollers, didn't you?</p> <p>7 A. Because I didn't remember that.</p> <p>8 Q. So you did not admit to doing that until</p> <p>9 we actually showed you the e-mail, right?</p> <p>10 A. Yeah, because then you showed me the</p> <p>11 evidence and then I remembered it, but it was not</p> <p>12 in my memory.</p> <p>13 Q. Turn to page 118 of your deposition</p> <p>14 transcript. Look at line 13, please. Excuse me,</p> <p>15 line 11, I'm sorry. You were asked, "Is there any</p> <p>16 other inaccurate or untruthful testimony that you</p> <p>17 provided here today?"</p> <p>18 And you said, "I don't think so," right?</p> <p>19 A. Yes, it says here.</p> <p>20 Q. That was not truthful testimony either,</p> <p>21 was it?</p> <p>22 A. I don't know.</p> <p>23 Q. How many false statements did you make</p> <p>24 during your first deposition?</p> <p>25 A. I don't know. I did not intend to do</p>	<p>1 thanking him for the pictures he took of my</p> <p>2 alpacas," correct?</p> <p>3 A. Correct.</p> <p>4 Q. But in fact -- and then you were asked</p> <p>5 "Anything else?" And you said, "No," right?</p> <p>6 A. It's written here, yes.</p> <p>7 Q. And in fact in the month just -- the</p> <p>8 month before your deposition, you'd had over 48</p> <p>9 texts alone with Mr. Meyer; isn't that true?</p> <p>10 A. That's correct. But as I already said,</p> <p>11 in my opinion it was during my employment with Big</p> <p>12 Sky.</p> <p>13 Q. This question doesn't limit it to your</p> <p>14 employment with Big Sky.</p> <p>15 A. I understand that. I understand that.</p> <p>16 But it was in my opinion that it was like this.</p> <p>17 Q. So do you think that you can insert your</p> <p>18 opinion about what the truth is?</p> <p>19 A. No.</p> <p>20 Q. So there's the truth and then there's</p> <p>21 not the truth, right?</p> <p>22 A. Yep, you can say I lied.</p> <p>23 Q. And in fact, you had communications with</p> <p>24 Mr. Meyer while you were still employed at Big Sky,</p> <p>25 didn't you?</p>
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<p>1 any false statements because I'm an honest person</p> <p>2 and I tried to honestly answer questions as much as</p> <p>3 it allows my consciousness.</p> <p>4 Q. Do you think that your consciousness</p> <p>5 allows you to disobey subpoenas?</p> <p>6 A. No.</p> <p>7 Q. Do you think your consciousness allows</p> <p>8 you to not tell the truth under oath?</p> <p>9 A. I did not want to lie under oath. I was</p> <p>10 asked -- answering the questions as I understood</p> <p>11 the questions and as I remembered what happened.</p> <p>12 Q. Go back to page 15 of your deposition,</p> <p>13 look at line 6. "Did you have any written</p> <p>14 correspondence either by e-mail, text, Facebook,</p> <p>15 any method with Mr. Meyer?" Do you see that</p> <p>16 question?</p> <p>17 A. Yeah, we were there.</p> <p>18 Q. That is a clear and direct question,</p> <p>19 isn't it?</p> <p>20 A. For you it was.</p> <p>21 Q. And it was for you too because you</p> <p>22 answered it. You did not say "I don't understand</p> <p>23 the question," did you?</p> <p>24 A. No.</p> <p>25 Q. You answered. You said, "Probably</p>	<p>1 A. Yeah, they came to take pictures and</p> <p>2 it's written in here. He came.</p> <p>3 Q. You had communications with Mr. Meyer</p> <p>4 about things other than him taking pictures, didn't</p> <p>5 you, while you were employed at Big Sky?</p> <p>6 A. About craniosacral therapy.</p> <p>7 Q. And you didn't tell me about that when</p> <p>8 you were directly asked about it under oath, did</p> <p>9 you?</p> <p>10 A. I did say that somewhere.</p> <p>11 Q. And you didn't produce all of the texts,</p> <p>12 e-mails, Facebook messages that you had with Meyer</p> <p>13 even though you had been commanded to do so by</p> <p>14 subpoena, right?</p> <p>15 A. Yes.</p> <p>16 Q. You were directly instructed to produce</p> <p>17 all of your correspondence, including e-mails or</p> <p>18 texts with Mr. Meyer or asking -- or anyone acting</p> <p>19 on his behalf, and you failed to do that, didn't</p> <p>20 you?</p> <p>21 A. Yes.</p> <p>22 Q. There's nothing ambiguous about that, is</p> <p>23 there?</p> <p>24 A. Yes.</p> <p>25 Q. There's something ambiguous about all</p>

<p style="text-align: right;">Page 17</p> <p>1 correspondence? What's ambiguous about all</p> <p>2 correspondence?</p> <p>3 A. No.</p> <p>4 Q. Do you agree that's clear, right?</p> <p>5 A. What is clear?</p> <p>6 Q. When you were directed to produce all of</p> <p>7 your correspondence, that's clear?</p> <p>8 A. I did not produce it for the first and I</p> <p>9 got the second subpoena and I worked with Breean</p> <p>10 Walas and we put it all together now.</p> <p>11 Q. What did you discuss with Mr. Meyer</p> <p>12 before your first deposition?</p> <p>13 A. Um, I don't know how to tell you that.</p> <p>14 We discussed the accident. I don't know if we</p> <p>15 discussed the accident because I was the accident</p> <p>16 investigator and he showed me the pictures that he</p> <p>17 had from the accident investigation. I can't</p> <p>18 repeat every word we said.</p> <p>19 Q. What else did you discuss with Mr. Meyer</p> <p>20 before your first deposition?</p> <p>21 A. We talked about all kinds of different</p> <p>22 things. Do you need all the subjects we talked</p> <p>23 about or just concerning the accident or the</p> <p>24 deposition or what? I don't understand the</p> <p>25 question.</p>	<p style="text-align: right;">Page 19</p> <p>1 got that report from Mr. Petrozzi.</p> <p>2 Q. What pictures of Highway and Loop Road</p> <p>3 did Mr. Meyer show you?</p> <p>4 A. The one where the people standing on the</p> <p>5 Loop Road, mainly. That's what I remember.</p> <p>6 Q. Is it Exhibit 29? You have the exhibits</p> <p>7 right there in front of you.</p> <p>8 A. Where? I should look through this?</p> <p>9 That's mine?</p> <p>10 Q. Excuse me, not 29. Exhibit 24.</p> <p>11 A. Is this the number here? No, that was</p> <p>12 not the picture.</p> <p>13 Q. Exhibit 25.</p> <p>14 A. This one. I think it was this one.</p> <p>15 Q. Did you review any pictures other than</p> <p>16 Exhibit 25 with Mr. Meyer prior to your deposition?</p> <p>17 A. Um, can I look at them? I don't think I</p> <p>18 looked at all these pictures. No, I don't think</p> <p>19 so. Do I have to go through the whole -- of more</p> <p>20 pictures?</p> <p>21 Q. It's a simple question. Did you review</p> <p>22 any pictures other than Exhibit 25 prior to your</p> <p>23 deposition?</p> <p>24 A. I don't think there were any other</p> <p>25 pictures there, but. There could have been other</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. Ms. Dixon, it's a very clear question.</p> <p>2 I asked you what you discussed with Mr. Meyer, do</p> <p>3 you understand that?</p> <p>4 A. Yes, but do you want our whole</p> <p>5 conversation? I don't have a record of the</p> <p>6 conversation. I didn't --</p> <p>7 Q. I want everything that you can remember.</p> <p>8 If I would have wanted to limit it, I would have</p> <p>9 limited it.</p> <p>10 A. Okay. So we discussed about</p> <p>11 craniosacral therapy. We discussed his babies. We</p> <p>12 discussed my new business. We discussed knitting</p> <p>13 him a hat. I brought him another hat for his wife.</p> <p>14 We had just normal conversations that friendly</p> <p>15 people have with each other.</p> <p>16 I was invited to one of his fundraisers</p> <p>17 but I didn't talk to him there because he was busy.</p> <p>18 I talked to somebody else in that.</p> <p>19 Q. What else?</p> <p>20 A. About the accident and what could</p> <p>21 happen, how a deposition would be going because</p> <p>22 I've never been at a deposition before. What else?</p> <p>23 He showed me pictures that he had.</p> <p>24 Q. Pictures of what?</p> <p>25 A. Of the Highway and the Loop Road and I</p>	<p style="text-align: right;">Page 20</p> <p>1 pictures but, this was the main picture that I saw</p> <p>2 and that we looked at and...</p> <p>3 Q. What did you discuss with Mr. Meyer</p> <p>4 about his accident prior to your first deposition?</p> <p>5 A. We talked about who was the accident</p> <p>6 investigator, who was first on scene, that I was</p> <p>7 not on scene because I was sitting in my office and</p> <p>8 we talked about --</p> <p>9 Q. You discussed with Mr. Meyer whether you</p> <p>10 were on scene because it was his concern whether it</p> <p>11 was your responsibility to mark this area, right?</p> <p>12 A. No.</p> <p>13 Q. He specifically asked you, was it your</p> <p>14 responsibility to mark this area before the</p> <p>15 accident, didn't he?</p> <p>16 A. Um, I don't think he asked me this way,</p> <p>17 that if it was my responsibility to mark this area.</p> <p>18 I don't remember that question. But I know that</p> <p>19 it's not my responsibility to mark areas. That's</p> <p>20 the responsibility for the supervisors and the</p> <p>21 director and the manager and I -- it was not</p> <p>22 my -- I didn't go out and mark areas unless I was</p> <p>23 patrolling on the mountain and I saw something that</p> <p>24 needed to be marked.</p> <p>25 Q. And when you were patrolling on the</p>

<p style="text-align: right;">Page 21</p> <p>1 mountain, you did mark things that you thought</p> <p>2 needed to be marked or you told someone else to</p> <p>3 mark it, didn't you?</p> <p>4 A. I did not talk to somebody else to mark</p> <p>5 it.</p> <p>6 Q. Well, you're making more false</p> <p>7 statements under oath, aren't you, Ms. Dixon?</p> <p>8 A. No.</p> <p>9 Q. Didn't you specifically write to</p> <p>10 Mr. Meyer that when you were out patrolling, if you</p> <p>11 saw a hazard, you would mark it or you would tell a</p> <p>12 supervisor to mark it?</p> <p>13 A. Well, I might have discussed with</p> <p>14 a supervisor if we should mark it because he</p> <p>15 is -- that's his job and I might have said, you</p> <p>16 know, there's a trail merge sign missing, should we</p> <p>17 go and mark it? And then I usually went and marked</p> <p>18 it because I wasn't out there that much. So I was</p> <p>19 happy to do some normal patrol work.</p> <p>20 Q. Mr. Meyer told you not to communicate</p> <p>21 with me or anyone from my office, didn't he?</p> <p>22 A. I don't remember that he said that.</p> <p>23 (Whereupon, Deposition</p> <p>24 Exhibit Number 90 was</p> <p>25 marked for identification.)</p>	<p style="text-align: right;">Page 23</p> <p>1 MS. WALAS: Objection, calls for a legal</p> <p>2 conclusion.</p> <p>3 BY MR. McINTOSH:</p> <p>4 Q. Did I read that correctly?</p> <p>5 A. Yeah.</p> <p>6 Q. And you knowingly made false statements</p> <p>7 under oath in your first deposition, didn't you?</p> <p>8 A. Not knowingly.</p> <p>9 Q. Oh, so you agree you made false</p> <p>10 statements but you contend it was unknowingly?</p> <p>11 A. As I said before -- and I know you said</p> <p>12 I can't put my opinion in there but people are</p> <p>13 asked -- answering questions from their conscious</p> <p>14 thinking or from their feeling. I am not a logical</p> <p>15 person and I was under the thought that I -- you</p> <p>16 asked me about during my employment because I was</p> <p>17 not allowed to talk to Mr. Meyer during my Big Sky</p> <p>18 employment and that's what I -- I didn't do that</p> <p>19 concerning that.</p> <p>20 Q. Go back to page 15 of your deposition</p> <p>21 transcript, page 6 -- or excuse me, page 15, line</p> <p>22 6. Excuse me.</p> <p>23 A. Yep.</p> <p>24 Q. And when you were asked did you have any</p> <p>25 written correspondence either by e-mail, text,</p>
<p style="text-align: right;">Page 22</p> <p>1 BY MR. McINTOSH:</p> <p>2 Q. I'm going to hand you what I'm marking</p> <p>3 as Exhibit 90. Please review that.</p> <p>4 A. Are you trying to kill me with your eyes</p> <p>5 or what? What is this?</p> <p>6 Q. Please review Exhibit 90, Ms. Dixon, and</p> <p>7 let me know when you're done.</p> <p>8 A. Yeah, so I'm going to get to jail or</p> <p>9 what?</p> <p>10 Q. Have you reviewed Exhibit 90, Ms. Dixon?</p> <p>11 A. Um, as much as I could understand it.</p> <p>12 My English is not good enough to understand this</p> <p>13 whole document. Sorry.</p> <p>14 Q. First of all, Ms. Dixon, you understand</p> <p>15 that you've been sworn to tell the truth here</p> <p>16 today, right?</p> <p>17 A. Yes.</p> <p>18 Q. And if you -- you understand that what</p> <p>19 happens if you don't tell the truth here today?</p> <p>20 A. Well, I've got to go to jail.</p> <p>21 Q. And on Exhibit 90 under Section 1 it</p> <p>22 says "A person commits the offense of perjury if in</p> <p>23 any official proceeding the person knowingly makes</p> <p>24 a false statement under oath." Did I read that</p> <p>25 correctly?</p>	<p style="text-align: right;">Page 24</p> <p>1 Facebook or any method with Mr. Meyer, that</p> <p>2 question is not limited to your time while you were</p> <p>3 employed at Big Sky, is it?</p> <p>4 A. No.</p> <p>5 Q. And then you were asked "Anything else,"</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. And that is not limited to your time at</p> <p>9 Big Sky, is it?</p> <p>10 A. Correct.</p> <p>11 Q. And it's not limited to the topic of</p> <p>12 Mr. Meyer's accident, is it? Correct?</p> <p>13 A. Correct.</p> <p>14 Q. And in fact, the question was broader.</p> <p>15 I specifically asked you about anything else other</p> <p>16 than pictures of the alpacas, right?</p> <p>17 A. Correct.</p> <p>18 Q. So that means anything. Anything means</p> <p>19 anything, right?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Is that a yes?</p> <p>22 A. Yes.</p> <p>23 Q. And you knowingly answered that question</p> <p>24 falsely, didn't you?</p> <p>25 A. If you say it this way, yes, I did say</p>

<p style="text-align: right;">Page 25</p> <p>1 it wrong but I didn't want to lie. I wanted to</p> <p>2 tell you what I knew and what -- what my truth is.</p> <p>3 I am not a person who's lying. I'm probably the</p> <p>4 most honest person there is. I'm surrounded by</p> <p>5 liars, but I am the most honest person and I can</p> <p>6 only tell you what I believe my truth is.</p> <p>7 Q. After your first deposition Ms. Walas</p> <p>8 asked you to give -- to provide her with all of</p> <p>9 your correspondence with Mr. Meyer, correct?</p> <p>10 A. Correct.</p> <p>11 Q. And did you do so?</p> <p>12 A. Yes.</p> <p>13 Q. And so as soon as Ms. Walas asked you to</p> <p>14 provide your correspondence with Mr. Meyer, you did</p> <p>15 that within -- how quickly, a matter of days,</p> <p>16 right?</p> <p>17 A. Probably one day.</p> <p>18 Q. And yet, when we asked you to produce</p> <p>19 all of your correspondence with Mr. Meyer with a</p> <p>20 subpoena, you did not do that, did you?</p> <p>21 A. We've been there. No, I didn't.</p> <p>22 Q. Because you were trying to intentionally</p> <p>23 hide your correspondence with Mr. Meyer, weren't</p> <p>24 you?</p> <p>25 A. No, I wasn't trying anything</p>	<p style="text-align: right;">Page 27</p> <p>1 MS. WALAS: Is my e-mail, okay.</p> <p>2 MR. McINTOSH: So I took that off.</p> <p>3 BY MR. McINTOSH:</p> <p>4 Q. Ms. Dixon, you now have before you</p> <p>5 what's been marked as Exhibit 91; is that correct?</p> <p>6 A. Correct.</p> <p>7 Q. And these are all documents that you</p> <p>8 produced to Ms. Walas shortly after your first</p> <p>9 deposition, correct?</p> <p>10 A. Correct, uh-huh.</p> <p>11 Q. Is that a yes?</p> <p>12 A. Yes.</p> <p>13 Q. And these documents include e-mails,</p> <p>14 texts, and Facebook messages with Mr. Meyer,</p> <p>15 correct?</p> <p>16 A. Correct.</p> <p>17 Q. Look at the first page of Exhibit 91.</p> <p>18 That is a letter that Mr. Meyer produced to me when</p> <p>19 he previously provided me with the computer that</p> <p>20 you had from Big Sky; is that right?</p> <p>21 A. Say that again, question?</p> <p>22 Q. Look at the first page.</p> <p>23 A. Uh-huh.</p> <p>24 Q. You're not looking at the first page,</p> <p>25 are you?</p>
<p style="text-align: right;">Page 26</p> <p>1 intentionally.</p> <p>2 Q. Why then, when I asked you to produce</p> <p>3 your correspondence with Mr. Meyer, did you fail to</p> <p>4 do so; yet, when Ms. Walas asked you to do the</p> <p>5 exact same thing, you produced the correspondence</p> <p>6 within 24 hours?</p> <p>7 A. I don't know.</p> <p>8 Q. There's no logical response, is there?</p> <p>9 A. No.</p> <p>10 (Whereupon, Deposition</p> <p>11 Exhibit Number 91 was</p> <p>12 marked for identification.)</p> <p>13 BY MR. McINTOSH:</p> <p>14 Q. I'm going to hand you what I've marked</p> <p>15 as Exhibit 91.</p> <p>16 A. Yep, I read all through this.</p> <p>17 MR. McINTOSH: I have a copy for you.</p> <p>18 THE WITNESS: All the e-mails.</p> <p>19 COURT REPORTER: I think she has two.</p> <p>20 MR. McINTOSH: Oh, I'm sorry. One is for</p> <p>21 Ms. Walas and one is for Ms. Dixon.</p> <p>22 MS. WALAS: You said 91?</p> <p>23 MR. McINTOSH: Yes, but I took that first</p> <p>24 page of that off. The first page is just your</p> <p>25 e-mail to me.</p>	<p style="text-align: right;">Page 28</p> <p>1 A. Oh, here?</p> <p>2 Q. Yeah. First page. You're on the first</p> <p>3 page?</p> <p>4 A. Yes.</p> <p>5 Q. That is a letter from John Meyer to me,</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. And that's the letter that Mr. Meyer</p> <p>9 gave to me when he gave me your computer from Big</p> <p>10 Sky, right?</p> <p>11 A. Okay.</p> <p>12 Q. Is that right?</p> <p>13 A. Yes, if you say so.</p> <p>14 Q. And did you -- well, first of all, you</p> <p>15 still had your Big Sky computer in your possession</p> <p>16 when you received the first subpoena; is that true?</p> <p>17 A. Yes.</p> <p>18 Q. And did you tell Mr. Meyer that all of</p> <p>19 your correspondence with him was on that computer?</p> <p>20 A. I said this is the whole thing that I</p> <p>21 have from Big Sky. I don't have any other -- any</p> <p>22 other documents from Big Sky.</p> <p>23 Q. Well, the subpoena didn't just ask for</p> <p>24 documents from Big Sky, did it?</p> <p>25 A. Probably not.</p>

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<p>1 Q. Okay. Look at Exhibit 70, which is 2 right in front of you. Exhibit 70, right here. 3 A. You mean here on the number? 4 Q. Exhibit 70 is the first subpoena that we 5 served on you, correct? 6 A. Uh-huh. 7 Q. Is that right? 8 A. Yep, I got that per e-mail. 9 Q. And -- well, you didn't receive it by 10 e-mail, did you? You were served with that 11 subpoena by a process server, right? 12 A. I think I got it per e-mail but I'm 13 not -- I don't remember. 14 Q. And you were specifically asked to 15 produce all correspondence, including e-mails or 16 texts with Mr. Meyer or anyone acting on his 17 behalf, right? 18 A. Yeah. 19 Q. Going back to Exhibit 91, do you have 20 that in front of you, first page of Exhibit 91? 21 A. Yep. 22 Q. That's the letter from Mr. Meyer, right? 23 A. Yep. 24 Q. And in the third paragraph there it 25 states -- Mr. Meyer states, Ms. Dixon has indicated</p>	<p>1 not aware that I had to report every little 2 photograph taken, communication or hand knitting 3 communication or craniosacral communication. I 4 mean we are all human beings and we talk and I 5 wasn't aware that this is important. I'm sorry. 6 Q. So you think when it says all 7 correspondence, including e-mails or texts, to you 8 that's not clear? 9 A. It wasn't clear to me. 10 Q. But you were dealing -- we're 11 specifically talking about Exhibit 91 right here. 12 You were dealing with Mr. Meyer and he was helping 13 you respond to the subpoena, right? 14 A. Yes, and we talked about it and he 15 said -- 16 Q. Please just answer the questions, 17 please. 18 A. Sorry, sorry. 19 Q. You were working with Mr. Meyer to 20 respond to the first subpoena that was served on 21 you, right? 22 A. He sent me -- I don't think I was served 23 that subpoena. He sent it to me per e-mail and 24 then I was asking him -- I remember, "Why don't I 25 get that in person?"</p>
Page 30	Page 32
<p>1 that she does not have any documents other than 2 what I have produced, do you see that? 3 A. Yep. 4 Q. And that statement from Mr. Meyer was 5 false, wasn't it? 6 A. Um, obviously false because we have 7 now all the other documents that I provided to 8 Ms. Walas. 9 Q. Right. And Mr. Meyer obviously knew he 10 was having communications with you, right? 11 A. Yeah. 12 Q. And despite that, Mr. Meyer assisted you 13 in providing a false response to the subpoena, 14 right? 15 A. I don't know. I mean we talked about it 16 and I -- I don't know. I did not know that you 17 needed e-mails and text messages about taking 18 pictures of alpacas and craniosacral. I did 19 not -- I was not aware about the huge thing about 20 relationships, personal relationships, that this 21 can be going to court. I was not aware. I am not 22 a law person. So in my thoughts it was just about 23 what happened during the accident and the accident 24 investigation. And this is what I provided to 25 Mr. Meyer because that was my computer and I was</p>	<p>1 And he said "I don't know." 2 And then I said, "I don't know what I 3 should bring." 4 And he said "Everything that you have 5 from Big Sky," and that's what I brought. I 6 brought my laptop that I had from Big Sky because 7 that was the only thing that I had. 8 Q. Ms. Dixon, I want you to listen to the 9 question and then answer the question that's asked, 10 can you do that? 11 A. Yeah, I hope so. 12 Q. You were working with Mr. Meyer to 13 respond to the first subpoena that was served on 14 you, true? 15 A. We had a brief conversation. 16 Q. So the answer is yes? 17 A. Yes. 18 Q. And then you gave him what you thought 19 to be what you thought was responsive to the 20 subpoena, right? 21 A. Right. 22 Q. And Mr. Meyer though, he knew that he 23 was having texts and e-mails and Facebook messages 24 with you, right? 25 A. I suppose.</p>

<p style="text-align: right;">Page 33</p> <p>1 Q. And Mr. Meyer did not produce those in 2 response to the subpoena, did he? 3 A. I don't know if he did or not. 4 Q. Well, you know all he produced was your 5 computer? 6 A. It says right here, yes. Now I know, 7 but I didn't know before that if he -- if he 8 produced it. I don't know what he does and what 9 you guys talk. 10 Q. Well, Ms. Dixon, you do know that he 11 didn't produce all of your correspondence or else 12 we wouldn't be back here today asking you about all 13 these things for the first time, right? 14 A. Correct. 15 Q. Okay. So you know that he didn't 16 produce it in response to the first subpoena? 17 A. I didn't produce it. I can only say 18 what I didn't do. I don't know what he did. 19 Q. You know that he didn't produce his 20 correspondence with you in response to the first 21 subpoena? 22 A. Well, I just read that he just gave you 23 the laptop. You just told me that. 24 Q. And you knew that before day, right? 25 A. I didn't -- I don't know. I</p>	<p style="text-align: right;">Page 35</p> <p>1 from Big Sky." That's what I have, that's what I 2 provided. 3 Q. Ms. -- 4 A. We didn't -- he didn't -- I'm not done. 5 He did not tell -- 6 Q. Ms. Dixon, you're not answering the 7 question. I'm asking you questions and instead of 8 answering the questions, you're just making 9 speeches about things you weren't asked about. 10 A. Because I can't answer this with yes or 11 no because it's not how it is. It's not that he 12 assisted me to lie or assisted me to not produce 13 it. That is not the case. 14 Q. So you're saying he did it on his own? 15 You're saying Mr. Meyer submitted a false response 16 on his own without any help from you? 17 MS. WALAS: Objection, calls for speculation. 18 THE WITNESS: I don't know. This is really 19 out of my -- I don't know what he's thinking. I 20 can only say what I am feeling or thinking and I 21 don't know. I can't say any answer to that. 22 Sorry. 23 BY MR. McINTOSH: 24 Q. What did you do to prepare for the 25 deposition today?</p>
<p style="text-align: right;">Page 34</p> <p>1 didn't -- it's not my concern what Mr. Meyer 2 produces and not produces because my concern was 3 now to find all my text messages. 4 Q. And you agree that Mr. Meyer's response 5 here, "Ms. Dixon has indicated that she does not 6 have any documents other than what I have already 7 produced," that is a false response to a subpoena, 8 isn't it? 9 A. You should tell him that. 10 Q. But you know it's false? The question 11 is to you, do you understand that? 12 A. Yes, it is not -- yeah, he only got my 13 laptop at that time, December 11th. And the 14 subpoena came when? I had to report the laptop by 15 December 13th. 16 Q. So you agree that Mr. Meyer submitted a 17 false subpoena response, right? 18 A. He didn't subpoena a false one. He just 19 gave what I gave him. 20 Q. He assisted you in providing a false 21 subpoena response, didn't he? 22 A. You make it happen as if we are trying 23 to lie. We talked about it and we said "what do I 24 need to bring?" 25 And he said "Everything that you have</p>	<p style="text-align: right;">Page 36</p> <p>1 A. We talked this morning and I read 2 through my deposition and -- pretty much, and my 3 e-mails and my text messages that I sent. 4 Q. Who did you -- you said "we" talked this 5 morning, who's "we"? 6 A. Breean and I. 7 Q. Did you speak with Mr. Meyer? 8 A. No. 9 Q. Have you spoken with Mr. Meyer from the 10 time of your first deposition until today? 11 A. Um, he asked me how I was doing after 12 the deposition and I said good, I'm exhausted. And 13 I don't know what else I said, and I can probably 14 find it in the deposition, and I wished him a happy 15 birthday yesterday. 16 Q. How did you talk to him yesterday? 17 A. I wished him a happy birthday via 18 Facebook I think. 19 Q. And you haven't submitted that 20 correspondence? 21 A. Um, did I give that to you? Yeah, I 22 think so. 23 Q. You understand you were subpoenaed and 24 you were asked to produce all correspondence, 25 including e-mails or texts with Mr. Meyer today at</p>

<p style="text-align: right;">Page 37</p> <p>1 the time of your deposition, right?</p> <p>2 A. I showed Breean that last text that I</p> <p>3 sent to him.</p> <p>4 Q. I don't believe that's been produced, am</p> <p>5 I wrong?</p> <p>6 MS. WALAS: I don't believe it's covered</p> <p>7 within the scope of the subpoena, a birthday, happy</p> <p>8 birthday.</p> <p>9 BY MR. McINTOSH:</p> <p>10 Q. It says all correspondence with</p> <p>11 Mr. Meyer or anyone acting on his behalf.</p> <p>12 A. I can show you the message on my phone.</p> <p>13 Q. What else did you do to prepare for</p> <p>14 today that you haven't told us about yet?</p> <p>15 A. I think I told you everything.</p> <p>16 Q. Do you have a lawyer, a personal lawyer?</p> <p>17 A. No.</p> <p>18 Q. Have you spoken with a criminal lawyer?</p> <p>19 A. No.</p> <p>20 Q. You are not a citizen, correct?</p> <p>21 A. Correct.</p> <p>22 Q. You are a citizen of what country?</p> <p>23 A. Austria.</p> <p>24 Q. Did you -- have you ever reviewed</p> <p>25 Mr. Meyer's deposition transcript?</p>	<p style="text-align: right;">Page 39</p> <p>1 Q. Are you looking at page 270?</p> <p>2 A. Yes.</p> <p>3 Q. And do you see line 4, Mr. Meyer was</p> <p>4 asked --</p> <p>5 A. Yeah, I see.</p> <p>6 Q. -- "Did you know her -- do you still</p> <p>7 communicate with Ms. Dixon?" Do you see that</p> <p>8 question?</p> <p>9 A. Yeah.</p> <p>10 Q. And Mr. Meyer answered "No," didn't he?</p> <p>11 A. That was April 9th, 2019. Yes.</p> <p>12 Q. That was a -- that answer was a lie,</p> <p>13 wasn't it?</p> <p>14 A. No.</p> <p>15 Q. It was a false statement, wasn't it?</p> <p>16 A. No, we did not communicate.</p> <p>17 Q. So it's your testimony that you were not</p> <p>18 communicating in April of 2019 with Mr. Meyer?</p> <p>19 A. I don't think so. Because I was still</p> <p>20 an employee in Big Sky and I have had no</p> <p>21 communication with him since we talked about that I</p> <p>22 am not supposed to talk to him.</p> <p>23 Q. Ms. Dixon, that simply isn't true, is</p> <p>24 it? You were exchanging texts and e-mails with</p> <p>25 Mr. Meyer in the months leading up to April 9,</p>
<p style="text-align: right;">Page 38</p> <p>1 A. No.</p> <p>2 Q. So you formed your opinions in this case</p> <p>3 without even reviewing Mr. Meyer's deposition</p> <p>4 transcript?</p> <p>5 A. I don't think I ever saw it.</p> <p>6 Q. That wasn't the question I asked.</p> <p>7 A. I don't think I ever got it sent to me.</p> <p>8 So no, I didn't.</p> <p>9 (Whereupon, Deposition</p> <p>10 Exhibit Number 92 was</p> <p>11 marked for identification.)</p> <p>12 BY MR. McINTOSH:</p> <p>13 Q. I'm going to hand you what has been</p> <p>14 marked as Exhibit 91 [sic].</p> <p>15 A. That's the same number as the one</p> <p>16 before?</p> <p>17 Q. I'm sorry, is it the same one? 92.</p> <p>18 I'm going to hand you now what I've</p> <p>19 correctly marked as Exhibit 92. Have you ever seen</p> <p>20 Exhibit 92 before?</p> <p>21 A. No, I don't remember.</p> <p>22 Q. Exhibit 92 is a portion of Mr. Meyer's</p> <p>23 deposition. And if you could look at page 270 of</p> <p>24 that deposition transcript.</p> <p>25 A. Yeah.</p>	<p style="text-align: right;">Page 40</p> <p>1 2019, weren't you?</p> <p>2 A. Before that.</p> <p>3 Q. Right. Before April 9, 2019, you were</p> <p>4 exchanging texts and e-mails with Mr. Meyer?</p> <p>5 A. I think it was before 2018 though. I</p> <p>6 don't remember when we talked in the office, but I</p> <p>7 was looking through the texts that we had here and</p> <p>8 I think it was October 2000 -- or not October. I</p> <p>9 don't know, 2018 or 2017.</p> <p>10 Q. Ms. Dixon, you're simply lying under</p> <p>11 oath right now, aren't you?</p> <p>12 A. When you talked to me that I was not</p> <p>13 supposed to talk to Mr. Meyer, I didn't talk to</p> <p>14 Mr. Meyer.</p> <p>15 Q. Yes, you did. You continued to interact</p> <p>16 with him on texts, e-mails and in person, didn't</p> <p>17 you?</p> <p>18 A. And you have these e-mails from me after</p> <p>19 November 2019.</p> <p>20 Q. Ms. Dixon, isn't it true that just a few</p> <p>21 months before Mr. Meyer testified under oath in</p> <p>22 this case, he invited you to dinner at his house?</p> <p>23 A. I think that was 2016.</p> <p>24 Q. And isn't it just a few months before</p> <p>25 Mr. Meyer was deposed in April of 2019, that you</p>

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<p>1 invited him to your house?</p> <p>2 A. I don't remember inviting him to my</p> <p>3 house.</p> <p>4 Q. Let's look at Exhibit 93.</p> <p>5 (Whereupon, Deposition</p> <p>6 Exhibit Number 93 was</p> <p>7 marked for identification.)</p> <p>8 BY MR. McINTOSH:</p> <p>9 Q. First of all, you do agree that you</p> <p>10 communicated with Mr. Meyer by text, right?</p> <p>11 A. Yes.</p> <p>12 Q. You communicated with him by Facebook</p> <p>13 messages, right?</p> <p>14 A. Yeah.</p> <p>15 Q. You communicated with him by e-mail,</p> <p>16 correct?</p> <p>17 A. Correct.</p> <p>18 Q. And you did all those things from your</p> <p>19 telephone, correct?</p> <p>20 A. Or from my laptop.</p> <p>21 Q. And -- correct. So if we look back at</p> <p>22 Exhibit 91, that was the -- it starts with E.Dixon</p> <p>23 001 and then a number of e-mails are produced in</p> <p>24 there?</p> <p>25 A. Yes.</p>	<p>1 of you in your hands, are all of those e-mails</p> <p>2 e-mails that you sent from your laptop?</p> <p>3 A. Or from my phone, yes.</p> <p>4 Q. Well, Ms. Dixon -- okay. The e-mails</p> <p>5 shown -- like, for example, look at the format of</p> <p>6 the e-mail shown in Exhibit E.Dixon 21 -- or excuse</p> <p>7 me, page E.Dixon 21.</p> <p>8 A. 21?</p> <p>9 Q. Do you see that? Yes.</p> <p>10 A. I'm on page 29.</p> <p>11 Q. Yes. You can look at 21, you can look</p> <p>12 at 22, 23, 24, every page from 29. Do you see the</p> <p>13 format that those e-mails are in?</p> <p>14 A. Yeah.</p> <p>15 Q. Then I want you to go back to page</p> <p>16 E.Dixon 53.</p> <p>17 A. Back. These are text messages or</p> <p>18 Facebook messages.</p> <p>19 Q. Well, on page 53, those are messages to</p> <p>20 an address john@cottonwoodlaw.org, correct?</p> <p>21 A. Yep, I didn't read it. Yes.</p> <p>22 Q. Okay. So this is a very simple</p> <p>23 question, Ms. Dixon. The e-mails that are shown in</p> <p>24 the format that is on page E.Dixon 25.</p> <p>25 A. Yeah, that's e-mails.</p>
Page 42	Page 44
<p>1 Q. For example, if you go to</p> <p>2 exhibit -- let's see, I'm sorry. Page E.Dixon,</p> <p>3 E.Dixon 29. Are you at page E.Dixon 29?</p> <p>4 A. Yep, I am.</p> <p>5 Q. That is an e-mail that you sent from</p> <p>6 your laptop -- it's an e-mail exchange between you</p> <p>7 and Steve Emerson about Mr. Meyer's ski wreck,</p> <p>8 correct?</p> <p>9 A. Yep, 2016.</p> <p>10 Q. And are all these e-mails, in other</p> <p>11 words, the ones that are in the format shown on</p> <p>12 E.Dixon 29, are those all e-mails that you sent</p> <p>13 from your laptop?</p> <p>14 A. Those -- you mean the one from Steve</p> <p>15 Emerson to -- regarding John Meyer? This one on</p> <p>16 page 29?</p> <p>17 Q. Ms. Dixon, all of the ones -- all of the</p> <p>18 e-mails in that format that is shown in Exhibit 91,</p> <p>19 I'm asking you, are those all e-mails that you</p> <p>20 sent --</p> <p>21 A. There's only one e-mail here.</p> <p>22 Q. Let me finish my question, Ms. Dixon.</p> <p>23 A. Uh-huh.</p> <p>24 Q. I'm asking if all the e-mails in that</p> <p>25 format within Exhibit 91, which you have in front</p>	<p>1 Q. Those are different formats or</p> <p>2 different -- they look different than the e-mails</p> <p>3 sent on page E.Dixon 53, right?</p> <p>4 A. Correct.</p> <p>5 Q. And so the question is, are the ones</p> <p>6 shown on E.Dixon 25, the ones in that format, were</p> <p>7 those sent from your laptop?</p> <p>8 A. I have an iPhone and a laptop and I can</p> <p>9 produce e-mails from the laptop and from my iPhone</p> <p>10 and I don't remember if I sent them from my iPhone</p> <p>11 or from my laptop, but probably from -- it looks</p> <p>12 the same if I sent it from my phone or from my</p> <p>13 laptop.</p> <p>14 Q. Well, it doesn't, does it? Because if</p> <p>15 we look at the ones on page 53, that's what it</p> <p>16 looks like you sent from your phone, right?</p> <p>17 A. Well, those are screen shots.</p> <p>18 Q. Okay. How did you obtain all those</p> <p>19 screen shots?</p> <p>20 A. By taking screen shots.</p> <p>21 Q. Okay. So do you contend that these</p> <p>22 were sent on your laptop? What we see on page</p> <p>23 E.Dixon 53, do you contend those were sent from you</p> <p>24 laptop or from your phone?</p> <p>25 A. Both. Maybe from the phone or from the</p>

<p style="text-align: right;">Page 45</p> <p>1 laptop. Are you asking me if this was sent to you</p> <p>2 from my phone or is it the communication made</p> <p>3 between John and me by -- per phone or laptop?</p> <p>4 Q. Ms. Dixon, was page 53, E.Dixon 53, that</p> <p>5 was not sent to me, was it? It was not sent to me</p> <p>6 by you, was it?</p> <p>7 A. This is all what I produced.</p> <p>8 Q. That wasn't the question, Ms. Dixon.</p> <p>9 The question was, page E.Dixon 53, was that sent to</p> <p>10 me by you?</p> <p>11 A. I did not send anything to you. I sent</p> <p>12 it to Ms. Walas.</p> <p>13 Q. Right.</p> <p>14 A. Right.</p> <p>15 Q. So the answer is no, right?</p> <p>16 A. The answer is no.</p> <p>17 Q. Okay. There we go. So obviously, I</p> <p>18 wouldn't be asking you how page E.Dixon 53 was sent</p> <p>19 to me by you, would I? Because that never</p> <p>20 happened, right? Are you following along?</p> <p>21 A. I was asked in the subpoena, the first</p> <p>22 subpoena, and I did not do it because I didn't</p> <p>23 really understand what was going on. I'm sorry,</p> <p>24 I'm stupid. But when Ms. Walas told me that I had</p> <p>25 to produce all this, I sent this to her because all</p>	<p style="text-align: right;">Page 47</p> <p>1 accident, right?</p> <p>2 A. Right, yes.</p> <p>3 Q. And you didn't produce those in response</p> <p>4 to the first subpoena, did you?</p> <p>5 A. No, because I didn't remember that.</p> <p>6 Q. Go to page E.Dixon 11.</p> <p>7 A. Yep.</p> <p>8 Q. Well, first of all, starting on page 10,</p> <p>9 go back just one page, this is an e-mail that you</p> <p>10 sent to John Meyer with all of your thoughts about</p> <p>11 the expert report of Mark Petrozzi, right?</p> <p>12 A. Correct.</p> <p>13 Q. You never issued a supplemental expert</p> <p>14 report in this case, did you?</p> <p>15 A. What is that?</p> <p>16 Q. You don't know what it is? Did you ever</p> <p>17 issue some report that you signed other than the</p> <p>18 affidavit that we were provided?</p> <p>19 A. Did I ever issue a report? I don't</p> <p>20 understand.</p> <p>21 Q. Do you know what the word "prepare"</p> <p>22 means?</p> <p>23 A. Right, yes.</p> <p>24 Q. Did you ever prepare a report other than</p> <p>25 the affidavit --</p>
<p style="text-align: right;">Page 46</p> <p>1 the subpoenas are not coming directly from you. So</p> <p>2 it's -- the communication went between Ms. Walas</p> <p>3 and me.</p> <p>4 Q. I'm going to hand you what I've marked</p> <p>5 as Exhibit 93. Hopefully I have the numbers</p> <p>6 correct.</p> <p>7 Exhibit 93, these are your e-mail</p> <p>8 communications with John Meyer using his address</p> <p>9 john@cottonwoodlaw.org, correct?</p> <p>10 A. Correct. These are text messages.</p> <p>11 Q. Well, they're text messages to his</p> <p>12 e-mail address john@cottonwoodlaw.org, right?</p> <p>13 A. Yeah.</p> <p>14 Q. In exhibit -- excuse me, Exhibit 93,</p> <p>15 these communications, you failed to produce these</p> <p>16 in response to the first subpoena to you, didn't</p> <p>17 you?</p> <p>18 A. Yes.</p> <p>19 Q. Can you go back to Exhibit 91. Do you</p> <p>20 still have that in front of you?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Let's just start at page E.Dixon 2.</p> <p>23 It's your e-mail with Steve Emerson.</p> <p>24 A. Yeah.</p> <p>25 Q. Those are e-mails about John Meyer's</p>	<p style="text-align: right;">Page 48</p> <p>1 A. This one.</p> <p>2 Q. -- that Mr. Meyer prepared?</p> <p>3 A. I worked through this one here.</p> <p>4 Q. And you're looking at E.Dixon page 10?</p> <p>5 A. Yes.</p> <p>6 Q. And that was never produced to us until</p> <p>7 last week, right?</p> <p>8 A. I don't know.</p> <p>9 Q. You didn't produce this in response to</p> <p>10 the first subpoena, did you?</p> <p>11 A. No.</p> <p>12 Q. Go to page E.Dixon 11, and the first</p> <p>13 paragraph there, review that to yourself. It</p> <p>14 starts out "From a logical point of view." Let me</p> <p>15 know when you're done with that paragraph.</p> <p>16 A. Yep.</p> <p>17 Q. And right there what you said is "Once</p> <p>18 you get closer to the loop road the slope incline</p> <p>19 decreases and there is a depression on skiers</p> <p>20 right." And then you say, "From that distance the</p> <p>21 loop road is not visible." Did I read that</p> <p>22 correctly?</p> <p>23 A. That is correct, yep.</p> <p>24 Q. And you now know that -- that what you</p> <p>25 wrote right there on page E.Dixon 11, what I just</p>

<p style="text-align: right;">Page 49</p> <p>1 read, you know that is false, don't you?</p> <p>2 A. It could be false, it could be true</p> <p>3 because I have not stand -- stood there lately in</p> <p>4 the last few years.</p> <p>5 Q. Well, in fact someone recently sent you</p> <p>6 pictures and you texted Mr. Meyer and said, "It's</p> <p>7 not really what I wanted to see. The loop road is</p> <p>8 still visible from up close." Isn't that true?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So what you wrote here that "From</p> <p>11 that distance the loop road is not visible," that's</p> <p>12 false, isn't it?</p> <p>13 A. Yeah.</p> <p>14 Q. Who sent you the pictures recently of</p> <p>15 the area of Mr. Meyer's incident?</p> <p>16 A. A friend of mine.</p> <p>17 Q. Yeah. What's the friend's name?</p> <p>18 A. Her name is Trina.</p> <p>19 Q. Trina what?</p> <p>20 A. I don't know.</p> <p>21 Q. You don't know her last name?</p> <p>22 A. No.</p> <p>23 Q. What is Trina's phone number?</p> <p>24 A. Um, she's a friend of mine and I really</p> <p>25 don't want her to get in trouble, so I'm not going</p>	<p style="text-align: right;">Page 51</p> <p>1 you were trying to rely on in this case for you,</p> <p>2 right?</p> <p>3 A. I wanted to see the area, how it looks</p> <p>4 now in 2020.</p> <p>5 Q. And when did Trina take these</p> <p>6 photographs for you?</p> <p>7 A. It was -- I think it was January.</p> <p>8 Q. And do you have your communications with</p> <p>9 Trina on your phone or in front of you?</p> <p>10 A. No.</p> <p>11 Q. What did you do with them?</p> <p>12 A. I deleted the pictures.</p> <p>13 Q. Why did you delete the pictures?</p> <p>14 A. Because I just wanted to see the area,</p> <p>15 and I sent one picture to Ms. Walas, and then the</p> <p>16 rest I didn't really need because they were taken</p> <p>17 in the wrong spot.</p> <p>18 Q. Well, you didn't send it to Ms. Walas,</p> <p>19 you sent it to Mr. Meyer, didn't you?</p> <p>20 A. I don't remember. Probably to Ms. Meyer</p> <p>21 because then I think we didn't -- I didn't have</p> <p>22 your phone number yet or.</p> <p>23 Q. How many pictures did Trina send to you</p> <p>24 of the area of Mr. Meyer's accident scene?</p> <p>25 A. The one that I wanted, it was one</p>
<p style="text-align: right;">Page 50</p> <p>1 to tell you.</p> <p>2 Q. Okay. Ms. Dixon, I'm asking you to</p> <p>3 provide -- you have your phone here with you,</p> <p>4 right?</p> <p>5 A. Yeah.</p> <p>6 Q. And you have Trina's number in your</p> <p>7 phone, don't you?</p> <p>8 A. Yeah.</p> <p>9 Q. So will you give me her phone number,</p> <p>10 please?</p> <p>11 A. What's going to happen to her?</p> <p>12 Q. Can you just please give me the phone</p> <p>13 number, Ms. Dixon? And her last name when you look</p> <p>14 it up.</p> <p>15 A. I have not -- I don't have her last name</p> <p>16 here on my phone. 231-215-1624.</p> <p>17 Q. Can you say that again, please? 231 --</p> <p>18 A. 231-215-1624.</p> <p>19 Q. 1624. And do you have Trina's last</p> <p>20 name?</p> <p>21 A. No, it just says Trina.</p> <p>22 Q. And you asked Trina to take pictures of</p> <p>23 the area of Mr. Meyer's incident for you, correct?</p> <p>24 A. Yeah.</p> <p>25 Q. So you asked her to gather evidence that</p>	<p style="text-align: right;">Page 52</p> <p>1 picture and then she took a few other pictures</p> <p>2 where she wasn't certain where she should take it.</p> <p>3 Q. How many pictures did Trina send you</p> <p>4 from Big Sky Resort?</p> <p>5 A. Maybe 10. I don't remember.</p> <p>6 Q. And you deleted all of those but one?</p> <p>7 A. They are now deleted. All of them are</p> <p>8 deleted.</p> <p>9 Q. Turn to page E.Dixon 15.</p> <p>10 A. (Witness complies.)</p> <p>11 Q. There's a thing that says P, and then</p> <p>12 that is in bold, and then below that you write,</p> <p>13 "Yes skiers are responsible for their own safety!"</p> <p>14 Correct?</p> <p>15 A. Correct.</p> <p>16 Q. And you agree with that, don't you?</p> <p>17 A. Yeah.</p> <p>18 Q. That skiers are responsible for their</p> <p>19 own safety, right?</p> <p>20 A. Yeah.</p> <p>21 Q. And on December 11, 2015, Mr. Meyer was</p> <p>22 responsible for his own safety, right?</p> <p>23 A. Uh-huh.</p> <p>24 Q. Is that a yes?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 53</p> <p>1 Q. Because he's the only one that can 2 control where he goes and how fast he skis, right? 3 A. Yes. 4 Q. Turn to page E.Dixon 18. 5 A. (Witness complies.) 6 Q. The first paragraph here you said, "When 7 I was out skiing I definitely did my job as a ski 8 patroller, marking hazards or obstacles or telling 9 supervisors and managers that there should be areas 10 marked," do you see that? 11 A. No. 12 Q. The very first paragraph at the top of 13 the page. 14 A. Which page are we? 15 Q. 18. 16 A. Do you mean before the time of the 17 incident, that paragraph? 18 Q. Yes. The last sentence in that 19 paragraph. 20 A. When I was out skiing, yep, I see it. 21 Q. So do you agree that when you were out 22 skiing, you definitely did your job as a ski 23 patroller, marking hazards or obstacles or telling 24 supervisors and managers that there should be areas 25 marked?</p>	<p style="text-align: right;">Page 55</p> <p>1 A. Correct. 2 Q. Go to page E.Dixon 30. 3 A. (Witness complies.) 4 Q. That's an e-mail exchange between you 5 and Mr. Meyer and it's setting up a meeting between 6 you and Mr. Meyer the day before your deposition, 7 your first deposition, right? 8 A. Yeah. 9 Q. And you were specifically asked what you 10 did to prepare for your deposition, weren't you, in 11 your first deposition? 12 A. I don't remember. 13 Q. You had a meeting with Mr. Meyer less 14 than 24 hours before your first deposition, didn't 15 you? 16 A. Yeah. 17 Q. And so when you were asked what you did 18 to prepare for the deposition and you didn't 19 mention that meeting, that was a lie, wasn't it? 20 A. Yep. 21 Q. Did Mr. Meyer tell you not to 22 communicate with me or anyone at Big Sky? 23 A. I don't think so. 24 Q. Look at page E.Dixon 46. 25 A. (Witness complies.)</p>
<p style="text-align: right;">Page 54</p> <p>1 A. Yes, we talked about some areas that 2 should be marked. 3 Q. And do you agree that you -- when you 4 were out skiing you did your job as a ski 5 patroller, marking hazards or obstacles? 6 A. That is my job when I'm out skiing, yes. 7 Q. You've never marked the area of 8 Mr. Meyer's accident before December 11, 2015, did 9 you? 10 A. No, I barely really worked positions on 11 Challenger, so. No, I didn't. 12 Q. Go to page E.Dixon 19. 13 A. (Witness complies.) 14 Q. And there you write in the first 15 paragraph, "Yes from 200 feet above. But the 16 question is did he" -- being Mr. Meyer -- or could 17 Mr. Meyer see it from 30 or 20 or 10 feet above. 18 That's what you wrote, right? 19 A. Yes. 20 Q. And you now know from the pictures that 21 Trina sent you, that Mr. Meyer could see the Loop 22 Road from 30 or 20 or 10 feet above, couldn't he? 23 A. Possibly, yes. 24 Q. Well, if he was looking he could have, 25 correct?</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Page E.Dixon 46 are texts that you and 2 Mr. Meyer exchanged, correct? 3 A. Yeah. 4 Q. And in one of the texts shown on page 5 E.Dixon 46, Mr. Meyer told you "Please do not 6 communicate with Ian or anyone at Big Sky," didn't 7 he? 8 A. I guess it says there, yes. 9 Q. So back to my question. Mr. Meyer told 10 you, Mr. Meyer told you do not communicate with Ian 11 or anyone at Big Sky, didn't he? 12 A. I think it was because I asked why I 13 didn't get the subpoena or this document sent to 14 me. I asked the question, "Why am I not getting 15 this document sent to me?" And he said I don't 16 need to communicate with you because it all goes 17 through him or through Ms. Walas. I don't know 18 what date. 19 Q. So, Ms. Dixon, my question is, did 20 Mr. Meyer tell you "Please do not communicate with 21 Ian or anyone at Big Sky?" 22 A. Yes. 23 Q. Mr. Meyer doesn't -- he's not your 24 lawyer, is he? 25 A. No.</p>

<p style="text-align: right;">Page 57</p> <p>1 Q. I want to look -- go back to Exhibit 93.</p> <p>2 A. (Witness complies.)</p> <p>3 Q. Exhibit 93, these are your e-mails with</p> <p>4 Mr. Meyer at cottonwoodlaw.org, correct?</p> <p>5 A. Correct.</p> <p>6 Q. And do you know why these are in a</p> <p>7 phone, they look like a phone format?</p> <p>8 A. He sent out a text message from his</p> <p>9 e-mail that came to my text messenger on the phone.</p> <p>10 Q. And if you look at page -- the second</p> <p>11 page of Exhibit 93, those are communications you</p> <p>12 were having with Mr. Meyer on October 19, 2018;</p> <p>13 correct?</p> <p>14 A. 2018, yes.</p> <p>15 Q. You were employed with Big Sky in</p> <p>16 October of 2018, weren't you?</p> <p>17 A. Yeah.</p> <p>18 Q. And the lawsuit Mr. Meyer filed against</p> <p>19 Big Sky was pending in October of 2018, wasn't it?</p> <p>20 A. I guess. I was not aware what the</p> <p>21 lawsuit is going on or how it's going on because I</p> <p>22 didn't really talk to him.</p> <p>23 Q. And Mr. Meyer texted you and said</p> <p>24 that -- and texted you about what he claimed he was</p> <p>25 going to do with the money if he received any money</p>	<p style="text-align: right;">Page 59</p> <p>1 A. No.</p> <p>2 Q. What other communications had you had</p> <p>3 with Mr. Meyer about this lawsuit while this case</p> <p>4 was pending?</p> <p>5 A. Before this text message?</p> <p>6 Q. Yes.</p> <p>7 A. About the lawsuit?</p> <p>8 Q. Yes.</p> <p>9 A. This one e-mail where he wanted to have</p> <p>10 the e-mail addresses from the patrollers to provide</p> <p>11 them. I don't know what he wanted to do. He told</p> <p>12 me he wants to provide patrollers with healthcare</p> <p>13 and I sent him the e-mail addresses and I said good</p> <p>14 luck.</p> <p>15 Q. Go back a couple pages within Exhibit 93</p> <p>16 to page E.Dixon 66. Let me know when you're there.</p> <p>17 A. Yep.</p> <p>18 Q. Take a minute to review that. Please</p> <p>19 let me know when you're done.</p> <p>20 A. Yep.</p> <p>21 Q. This is a text exchange that you had</p> <p>22 with Mr. Meyer in December of 2018, correct?</p> <p>23 A. Correct.</p> <p>24 Q. And you were employed by Big Sky in</p> <p>25 December of 2018, correct?</p>
<p style="text-align: right;">Page 58</p> <p>1 in the lawsuit, right?</p> <p>2 A. That's correct.</p> <p>3 Q. While the lawsuit was pending, right?</p> <p>4 A. Yeah, and that's where that e-mail came</p> <p>5 from, when I sent out the e-mail addresses because</p> <p>6 he said he's going to provide healthcare for</p> <p>7 patrollers.</p> <p>8 Q. In response, you told him,</p> <p>9 Mr. Meyer -- you told Mr. Meyer I am not allowed</p> <p>10 to talk to you about this -- "this" was the</p> <p>11 lawsuit -- anymore, right?</p> <p>12 A. Correct.</p> <p>13 Q. So that means you had been speaking with</p> <p>14 Mr. Meyer about the lawsuit prior to October 19,</p> <p>15 2018; right?</p> <p>16 A. I don't remember when or what I talked</p> <p>17 with Mr. Meyer before that.</p> <p>18 Q. Well, you specifically used the</p> <p>19 word -- I'm not allowed to talk to you about</p> <p>20 this -- "anymore," right?</p> <p>21 A. I said that here, yes.</p> <p>22 Q. So "anymore" means you had been having</p> <p>23 communications --</p> <p>24 A. No.</p> <p>25 Q. -- with him, right?</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Yeah.</p> <p>2 Q. And you were a supervisor at Big Sky in</p> <p>3 December of 2018, correct?</p> <p>4 A. Correct.</p> <p>5 (Whereupon, Deposition</p> <p>6 Exhibit Number 95 was</p> <p>7 marked for identification.)</p> <p>8 BY MR. McINTOSH:</p> <p>9 Q. I'm going to hand you what I've marked</p> <p>10 as Exhibit 95. Please take a minute to review</p> <p>11 Exhibit Number 95 and let me know when you're done.</p> <p>12 A. Yeah.</p> <p>13 Q. Do you agree that Exhibit 95 is a letter</p> <p>14 to Mr. Meyer?</p> <p>15 A. Yes.</p> <p>16 Q. And what's the date of the letter?</p> <p>17 A. December 27.</p> <p>18 Q. What year?</p> <p>19 A. 2017.</p> <p>20 Q. Yeah. So that's one year before the</p> <p>21 text exchange that we were just looking at within</p> <p>22 Exhibit 93, right?</p> <p>23 A. Yeah.</p> <p>24 Q. And in that letter to Mr. Meyer he was</p> <p>25 instructed to discontinue all communications with</p>

<p style="text-align: right;">Page 61</p> <p>1 employees of Big Sky resort, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And in December of 2018, Mr. Dixon was</p> <p>4 inviting you over to his house for a drink and some</p> <p>5 appetizers, correct?</p> <p>6 A. Correct.</p> <p>7 Q. And these texts right here, about going</p> <p>8 over to Mr. Meyer's house for a drink and some</p> <p>9 appetizers, demonstrate that your first deposition</p> <p>10 testimony when you said you didn't have any texts</p> <p>11 with Mr. Meyer about anything other than alpacas,</p> <p>12 this shows that that was false testimony, doesn't</p> <p>13 it?</p> <p>14 A. Correct.</p> <p>15 (Whereupon, Deposition</p> <p>16 Exhibit Number 94 was</p> <p>17 marked for identification.)</p> <p>18 MR. McINTOSH: I'm going to next hand you</p> <p>19 what I've marked as Exhibit 94.</p> <p>20 MS. WALAS: Oh, what was -- are we just going</p> <p>21 out of order?</p> <p>22 THE WITNESS: 95, you have this? 95, 93, 94.</p> <p>23 BY MR. McINTOSH:</p> <p>24 Q. Okay. So you now have in front of you</p> <p>25 Exhibit 94?</p>	<p style="text-align: right;">Page 63</p> <p>1 A. When was the first deposition?</p> <p>2 Q. January 24.</p> <p>3 A. 24, and this was?</p> <p>4 Q. December.</p> <p>5 A. December. Because it was postponed I</p> <p>6 think. Was the first deposition postponed?</p> <p>7 Q. So my question is, page E.Dixon 77</p> <p>8 within Exhibit 94, these are text messages between</p> <p>9 you and Mr. Meyer less than one month before your</p> <p>10 deposition in January of 2020, correct?</p> <p>11 A. Right.</p> <p>12 Q. And in fact, if you just go back through</p> <p>13 the next few pages starting at E.Dixon 77, and then</p> <p>14 keep going through -- through page E.Dixon 83, keep</p> <p>15 going through E.Dixon 85, all the way up through</p> <p>16 E.Dixon 86, those are all your texts with Mr. Meyer</p> <p>17 in the month before your first deposition, right?</p> <p>18 A. Yeah.</p> <p>19 Q. In fact, you sent at least 48 texts back</p> <p>20 and forth between you and Mr. Meyer in the single</p> <p>21 month before your first deposition, didn't you?</p> <p>22 A. Correct.</p> <p>23 Q. And none of those texts are about</p> <p>24 pictures of your alpaca, are they?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 62</p> <p>1 A. Yep.</p> <p>2 Q. And Exhibit 94, these are your texts,</p> <p>3 the texts between you and Mr. Meyer, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And these are blown up versions so we</p> <p>6 can actually read them, correct?</p> <p>7 A. Yeah.</p> <p>8 Q. And you did not produce these in</p> <p>9 response to the first subpoena, right?</p> <p>10 A. We already said that.</p> <p>11 Q. So you agree that you did not produce --</p> <p>12 A. Yes.</p> <p>13 Q. -- these in response to the subpoena?</p> <p>14 Go to page E.Dixon 77, and let me know</p> <p>15 when you're done reviewing that page, please.</p> <p>16 MS. WALAS: Did you say 77?</p> <p>17 MR. McINTOSH: Yes.</p> <p>18 THE WITNESS: Yep, I'm there.</p> <p>19 BY MR. McINTOSH:</p> <p>20 Q. Exhibit -- or excuse me, page E.Dixon 77</p> <p>21 within Exhibit 94, these are texts between you and</p> <p>22 Mr. Dixon [sic] less than one month before your</p> <p>23 first deposition, correct?</p> <p>24 A. Mr. Meyer.</p> <p>25 Q. Excuse me, I'm sorry, Mr. Meyer.</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. So when you were asked on page 15 of</p> <p>2 your deposition, "Did you have any written</p> <p>3 correspondence either by e-mail, text, Facebook,</p> <p>4 any method with Mr. Meyer," you answered "Probably</p> <p>5 thanking him for the pictures he took of my</p> <p>6 alpacas."</p> <p>7 You were then asked "Anything else?"</p> <p>8 And you said "No," didn't you?</p> <p>9 A. Yeah, because I was -- had the opinion</p> <p>10 that it was during my employment.</p> <p>11 Q. That was false testimony under oath,</p> <p>12 wasn't it?</p> <p>13 A. I don't know if I can say it was false.</p> <p>14 That makes me sound like I'm a liar. I'm not a</p> <p>15 liar.</p> <p>16 Q. Well, you provided false deposition</p> <p>17 testimony, didn't you?</p> <p>18 A. Not from my own truth.</p> <p>19 Q. The questions that we just looked at on</p> <p>20 page 15 of your deposition didn't say, did you have</p> <p>21 any written correspondence with Mr. Meyer while you</p> <p>22 were employed by Big Sky, did it?</p> <p>23 A. You asked me that before and I clarified</p> <p>24 that my whole feeling and my truth was that it was</p> <p>25 asked something else. And yes, if you put it this</p>

<p style="text-align: right;">Page 65</p> <p>1 way, then yes, I wasn't aware that this was all 2 important. I am not a legal expert. 3 Q. Do you think you need to be a legal 4 expert to answer a question that says "Anything 5 else"? 6 A. Yeah. 7 Q. What's confusing about that, when 8 somebody says "Anything else"? How does that 9 confuse you? 10 A. It was not clear to me that anything 11 that John Meyer and I talked about after he hired 12 me as an expert witness, that I had to provide all 13 this. It was only my understanding that -- because 14 that was the focus that I'm not talking to him 15 during my employment and I was certain that I 16 didn't talk to him during my employment about his 17 case. 18 Q. Look at page 82 of -- excuse me, page 19 E.Dixon 82 within Exhibit 94. 20 A. (Witness complies.) 21 Q. That is the photograph that Trina sent 22 to you, correct? 23 A. Yeah. 24 Q. And you sent that photograph to 25 Mr. Meyer on -- when, January 20 of 2020; is that</p>	<p style="text-align: right;">Page 67</p> <p>1 obligation to produce any pictures of the accident 2 scene that he had? 3 A. No. 4 Q. Did Mr. Meyer tell you not to delete any 5 of the photographs? 6 A. No. 7 Q. And these pictures show that if 8 Mr. Meyer was looking ahead of him, even just two 9 turns ahead of him, he should have seen the Loop 10 Road, right? 11 A. If he came down this way, yes. 12 Q. This picture shows that this accident, 13 Mr. Meyer's incident where he claimed that he went 14 onto the cat track, was entirely his fault, doesn't 15 it? 16 A. Well, this picture was taken in 2020. 17 Q. Okay. So if the scene of the -- strike 18 that. 19 So if you can see the Loop Road from up 20 close at the time of Mr. Meyer's accident, that 21 means that the incident was entirely Mr. Meyer's 22 fault, doesn't it? 23 A. According to this picture in 2020. But 24 the picture that he had from 2015, that probably 25 one of my accident investigators took, looked</p>
<p style="text-align: right;">Page 66</p> <p>1 correct? Excuse me, January 13 of 2020; is that 2 right? 3 A. Correct. 4 Q. And you said -- when you sent the 5 picture to Mr. Meyer, you said "It's not really 6 what I wanted to see," right? 7 A. Correct. 8 Q. Because the picture did not support your 9 theory, did it? 10 A. Correct. 11 Q. In fact, the picture shows that the Loop 12 Road is still visible from up close, right? 13 A. Yeah, that was in January 2020. 14 Q. And you sent a number of -- you 15 specifically told Mr. Meyer that a number of 16 pictures were taken, right? 17 A. Correct. 18 Q. You said this picture is one of many, 19 right? 20 A. Correct. 21 Q. Did Mr. Meyer tell you he had an 22 obligation to produce any pictures? 23 A. That he was supposed to produce any 24 pictures? 25 Q. Did Mr. Meyer tell you he had an</p>	<p style="text-align: right;">Page 68</p> <p>1 different. Snow conditions change. 2 Q. Look at Exhibit 29 in front of you. 3 Ms. Dixon, do you have Exhibit 29 in front of you? 4 A. Yeah. 5 Q. And Exhibit 29 is a photograph taken on 6 December 11, 2015; right? 7 A. Yeah. 8 Q. And that's taken shortly after 9 Mr. Meyer's accident, correct? 10 A. Correct. 11 Q. And this photograph shows, just like the 12 photograph that Trina sent you, that the Loop Road 13 is visible from up close, correct? 14 A. Yeah. 15 Q. And so Mr. Meyer, if he came down 16 anywhere in the area shown in Exhibit 29, his ski 17 wreck was entirely his fault; isn't that true? 18 A. I would say so, yes. 19 Q. And in fact, you know looking at Exhibit 20 29, that that is where Mr. Meyer came down because 21 you can see your log where he ended up, right? 22 A. Correct. 23 Q. And so to get to the log shown in 24 Exhibit 29, he had to have come down from Highway 25 somewhere within Exhibit 29, correct?</p>

<p style="text-align: right;">Page 69</p> <p>1 A. Yeah.</p> <p>2 Q. Go to page 83 of Exhibit 94, please.</p> <p>3 Let me know when you're there. Take your time</p> <p>4 reviewing it, please.</p> <p>5 A. Yeah.</p> <p>6 Q. And here you are texting back and forth</p> <p>7 with Mr. Meyer about the witness that was recently</p> <p>8 deposed in this case, Tom McMakin, right?</p> <p>9 A. Yeah.</p> <p>10 Q. And -- well, first of all, you never</p> <p>11 reviewed Mr. Meyer's deposition transcript, right?</p> <p>12 A. I don't think I ever saw it.</p> <p>13 Q. Okay. So you don't know what he said</p> <p>14 about his accident and about how it occurred in his</p> <p>15 deposition, do you?</p> <p>16 A. I don't know what he said. I don't.</p> <p>17 Q. Right. I mean, you didn't review the</p> <p>18 transcript --</p> <p>19 A. Yeah.</p> <p>20 Q. -- so you don't know what he said?</p> <p>21 A. Right.</p> <p>22 Q. But here Mr. Meyer, in his text to you,</p> <p>23 is texting you and telling you how he claims his</p> <p>24 incident occurred, right, at the bottom of page 83</p> <p>25 and the top of page 84?</p>	<p style="text-align: right;">Page 71</p> <p>1 talked.</p> <p>2 Q. Go to page E.Dixon 85 within Exhibit 94.</p> <p>3 A. (Witness complies.)</p> <p>4 Q. Are you there?</p> <p>5 A. Yeah.</p> <p>6 Q. And have you reviewed page E.Dixon 85?</p> <p>7 A. Um, yep.</p> <p>8 Q. And these are text messages you had with</p> <p>9 Mr. Meyer just days before your deposition on</p> <p>10 January 24, 2020; right?</p> <p>11 A. Correct.</p> <p>12 Q. So when you were testifying on January</p> <p>13 24, 2020, you knew that you had had text messages</p> <p>14 with Mr. Meyer within the past couple days,</p> <p>15 correct?</p> <p>16 A. Correct.</p> <p>17 Q. 96.</p> <p>18 MS. WALAS: Ian, can we go ahead and take a</p> <p>19 break?</p> <p>20 MR. McINTOSH: Sure, seeing how much I</p> <p>21 screwed up the numbers.</p> <p>22 VIDEO TECHNICIAN: This ends Disc Number 1.</p> <p>23 We're off the record. The time is 11:25.</p> <p>24 (Whereupon, a brief</p> <p>25 recess was taken.)</p>
<p style="text-align: right;">Page 70</p> <p>1 A. Yep.</p> <p>2 Q. And then Mr. Meyer says "We'll see what</p> <p>3 the witness says," correct?</p> <p>4 A. Yeah.</p> <p>5 Q. And that's on page E.Dixon 84 within</p> <p>6 Exhibit 94, right?</p> <p>7 A. Yeah.</p> <p>8 Q. And then he says "Not over text," do you</p> <p>9 see that?</p> <p>10 A. Yeah.</p> <p>11 Q. Why did Mr. Meyer want to make a written</p> <p>12 record of his communications with you?</p> <p>13 MS. WALAS: Objection, calls for speculation.</p> <p>14 THE WITNESS: I have no idea. I can't be in</p> <p>15 his mind.</p> <p>16 BY MR. McINTOSH:</p> <p>17 Q. What did you discuss with Mr. Meyer</p> <p>18 after he said to you "Not over text"?</p> <p>19 A. I don't remember.</p> <p>20 Q. Well, what did you discuss with him</p> <p>21 about the photograph that you sent him that shows</p> <p>22 the Loop Road is visible from immediately above it?</p> <p>23 A. I just sent him the photo. We haven't</p> <p>24 talked in several weeks on the phone. I even sent</p> <p>25 the photo and he didn't respond. So no, we haven't</p>	<p style="text-align: right;">Page 72</p> <p>1 VIDEO TECHNICIAN: This starts Disc Number 2.</p> <p>2 We're back on the record. The time is 11:31.</p> <p>3 BY MR. McINTOSH:</p> <p>4 Q. Ms. Dixon, we're back under oath and do</p> <p>5 you understand that you are sworn to tell the truth</p> <p>6 here?</p> <p>7 A. Yep.</p> <p>8 Q. During a break were you in the restroom</p> <p>9 with Ms. Walas?</p> <p>10 A. Yes.</p> <p>11 Q. And what did you discuss?</p> <p>12 A. I asked her if I'm going to go to</p> <p>13 prison.</p> <p>14 Q. Anything else?</p> <p>15 A. What if I'm going to start crying.</p> <p>16 Q. Anything else?</p> <p>17 A. How I'm doing.</p> <p>18 Q. And what did she say in response to all</p> <p>19 those questions?</p> <p>20 A. Answering the best that you can.</p> <p>21 Q. What did she say in response to your</p> <p>22 question about am I going to go to prison?</p> <p>23 A. No.</p> <p>24 Q. Anything else that you discussed with</p> <p>25 Ms. Walas during the break?</p>

<p style="text-align: right;">Page 73</p> <p>1 A. No.</p> <p>2 (Whereupon, Deposition</p> <p>3 Exhibit Number 96 was</p> <p>4 marked for identification.)</p> <p>5 BY MR. McINTOSH:</p> <p>6 Q. Exhibit 96 that has been placed in front</p> <p>7 of you, those are your Facebook messages with</p> <p>8 Mr. Meyer; is that right?</p> <p>9 A. Looks like it, yep.</p> <p>10 Q. And within 96 are numerous messages you</p> <p>11 had with Mr. Meyer while you were employed by Big</p> <p>12 Sky, right?</p> <p>13 A. Yes.</p> <p>14 Q. And in fact, as we see in Exhibit 96, in</p> <p>15 January of 2019, Mr. Meyer was asking to stop by</p> <p>16 your place, right?</p> <p>17 A. Um, yes.</p> <p>18 Q. If we look at page E.Dixon 94, we see a</p> <p>19 text from Mr. Meyer saying "I hope you're well</p> <p>20 today, are you around"?</p> <p>21 A. Yeah.</p> <p>22 Q. And this is in January of 2019, right?</p> <p>23 A. Correct.</p> <p>24 Q. When you were employed by Big Sky,</p> <p>25 correct?</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. -- '19?</p> <p>2 A. (Witness nods head.)</p> <p>3 Q. And what did you believe was the reason</p> <p>4 you were being asked not to come back to work at</p> <p>5 Big Sky?</p> <p>6 A. What did I believe?</p> <p>7 Q. Yes.</p> <p>8 A. Because of my divorce from Bob and</p> <p>9 everything that happened before that.</p> <p>10 Q. And in fact, you posted some derogatory</p> <p>11 e-mails on a public Facebook page, correct?</p> <p>12 A. E-mails?</p> <p>13 Q. You posted on a public Facebook page,</p> <p>14 you posted --</p> <p>15 A. Yes.</p> <p>16 Q. -- some derogatory things, didn't you?</p> <p>17 A. What's "derogatory" mean?</p> <p>18 Q. Mean, bad.</p> <p>19 A. No, it wasn't mean or bad. It was the</p> <p>20 truth.</p> <p>21 Q. What did you say on the Facebook post</p> <p>22 that you made?</p> <p>23 A. I said about all the lies that I had to</p> <p>24 suffer through and all what Bob didn't tell me</p> <p>25 about his manhood, I don't know. Do I have to</p>
<p style="text-align: right;">Page 74</p> <p>1 A. Correct.</p> <p>2 Q. While you were a supervisor at Big Sky,</p> <p>3 right?</p> <p>4 A. Yeah.</p> <p>5 Q. And this is also just a couple months</p> <p>6 before Mr. Meyer was deposed in April of 2019,</p> <p>7 right?</p> <p>8 A. I don't know.</p> <p>9 Q. Well, if he was deposed in April of</p> <p>10 2019, then this is just a couple months before,</p> <p>11 right?</p> <p>12 A. It's January 14. I don't know when his</p> <p>13 deposition was.</p> <p>14 Q. And did Mr. Meyer stop by your place in</p> <p>15 January of 2019?</p> <p>16 A. I don't remember.</p> <p>17 Q. When did your employment with Big Sky</p> <p>18 end?</p> <p>19 A. Well, it's a seasonal employment that</p> <p>20 ends in April after the season.</p> <p>21 Q. When were you asked or informed that you</p> <p>22 would not be asked to come back?</p> <p>23 A. Two weeks before the refresher.</p> <p>24 Q. In the fall of 2000- --</p> <p>25 A. '19.</p>	<p style="text-align: right;">Page 76</p> <p>1 really say that here? I mean there's Bob's boss</p> <p>2 sitting here.</p> <p>3 Q. Well, I want to know what you posted and</p> <p>4 why you believe your employment at Big Sky</p> <p>5 terminated?</p> <p>6 A. Because of that Facebook post.</p> <p>7 (Whereupon, Deposition</p> <p>8 Exhibit Number 89 was</p> <p>9 marked for identification.)</p> <p>10 BY MR. McINTOSH:</p> <p>11 Q. I'm going to hand you what I've marked</p> <p>12 as Exhibit 89. Let me know when you're done</p> <p>13 reviewing Exhibit 89, please.</p> <p>14 A. Yeah.</p> <p>15 Q. Are you done reviewing it?</p> <p>16 A. Yeah.</p> <p>17 Q. Exhibit 89 is an e-mail exchange between</p> <p>18 you and Ryan Ayres, correct?</p> <p>19 A. It's my e-mail that I sent to him and</p> <p>20 underneath is -- that he told me that I'm not being</p> <p>21 rehired.</p> <p>22 Q. Okay. So do you agree that Exhibit 89</p> <p>23 is the e-mail exchange between you and Mr. Ayres</p> <p>24 when you were talking about your employment at Big</p> <p>25 Sky ending?</p>

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<p>1 A. Yeah.</p> <p>2 Q. So does that seem like the correct date</p> <p>3 to you when your employment ended, October 6, 2019?</p> <p>4 A. Yeah.</p> <p>5 Q. And then you told Mr. Ayres that I know</p> <p>6 it's because of the post I did in June, right?</p> <p>7 A. Yep.</p> <p>8 Q. And what was the post you did in June?</p> <p>9 A. The one that I just mentioned before.</p> <p>10 Q. And what did you say in that post?</p> <p>11 A. That's what I just said.</p> <p>12 Q. What sort of insults? How were you</p> <p>13 being insulted?</p> <p>14 A. Because somebody -- several people asked</p> <p>15 me if I'm a lesbian.</p> <p>16 Q. And you took that to be an insult?</p> <p>17 A. Yes.</p> <p>18 Q. Did you share your user name and</p> <p>19 password when you gave Mr. Meyer your Big Sky</p> <p>20 laptop computer?</p> <p>21 A. No.</p> <p>22 Q. Did you share your user name and</p> <p>23 password with anyone?</p> <p>24 A. No.</p> <p>25 Q. Did you ever e-mail Mr. Meyer from your</p>	<p>1 A. April 2019.</p> <p>2 Q. Earlier in this case you said that you</p> <p>3 were, quote, "surrounded by liars." Who were you</p> <p>4 referring to when you said that?</p> <p>5 A. Earlier in this case?</p> <p>6 Q. Earlier in the deposition today.</p> <p>7 A. Uh-huh. I was actually referring to</p> <p>8 Bob.</p> <p>9 Q. Anyone else?</p> <p>10 A. Yeah. My granddaughter's mother. There</p> <p>11 was lots of lying around me.</p> <p>12 Q. Do you believe Mr. Meyer has been</p> <p>13 truthful in his dealings with you?</p> <p>14 A. I hope so.</p> <p>15 Q. Do you believe he's been truthful about</p> <p>16 his ski wreck?</p> <p>17 A. I have to believe that. But you never</p> <p>18 know who is not truthful and who, I mean. You have</p> <p>19 to discover that time by time.</p> <p>20 Q. Let's take a short break and then I</p> <p>21 think I'm probably done.</p> <p>22 VIDEO TECHNICIAN: We are now going off the</p> <p>23 record. The time is 11:41.</p> <p>24 (Whereupon, a brief</p> <p>25 recess was taken.)</p>
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<p>1 Big Sky laptop?</p> <p>2 A. I don't remember. Probably when I sent</p> <p>3 him the yellow card. That must have come from the</p> <p>4 Big Sky laptop.</p> <p>5 Q. Do you recall any other e-mails with</p> <p>6 Mr. Meyer other than e-mailing him the yellow card?</p> <p>7 A. I don't recall any other e-mails, no.</p> <p>8 Q. Have you used any other e-mail address</p> <p>9 or e-mail addresses when communicating with</p> <p>10 Mr. Meyer?</p> <p>11 A. I have my own e-mail addresses, a little</p> <p>12 Apple tech and gmail.</p> <p>13 Q. What are your e-mail addresses?</p> <p>14 A. Evidixon@littleappletech.com and</p> <p>15 evidixon@gmail.com.</p> <p>16 Q. Did you say evidixon@littleappletech.com</p> <p>17 and evidixon@gmail.com?</p> <p>18 A. Correct.</p> <p>19 Q. Are those the only e-mail addresses you</p> <p>20 have used?</p> <p>21 A. Well, then I had Big Sky's e-mail</p> <p>22 address, edixon@bigskyresort.com. I can't get to</p> <p>23 that anymore.</p> <p>24 Q. When did you stop being able to use your</p> <p>25 edixon@bigsky e-mail address?</p>	<p>1 VIDEO TECHNICIAN: We're now back on the</p> <p>2 record. The time is 11:44.</p> <p>3 BY MR. MCINTOSH:</p> <p>4 Q. Ms. Dixon, just a couple more questions.</p> <p>5 First of all, do you understand you are</p> <p>6 still under oath?</p> <p>7 A. I do.</p> <p>8 Q. And what does that mean to you to be</p> <p>9 under oath?</p> <p>10 A. Answer as truthfully as I can get.</p> <p>11 Q. The Big Sky laptop that you gave to</p> <p>12 Mr. Meyer to provide to us when you received the</p> <p>13 first subpoena, do you recall doing that?</p> <p>14 A. Yeah.</p> <p>15 Q. Why did you still have that laptop?</p> <p>16 A. Because I always kept it over the summer</p> <p>17 because I was always asked a question throughout</p> <p>18 the summer.</p> <p>19 Q. Did you delete anything from the Big Sky</p> <p>20 laptop that Mr. Meyer produced?</p> <p>21 A. No, I don't think so.</p> <p>22 Q. What do you mean you don't think so?</p> <p>23 A. I might have. I mean, I went through my</p> <p>24 e-mail addresses during the seasons and deleted</p> <p>25 e-mails because they always kept telling me e-mails</p>

<p style="text-align: right;">Page 81</p> <p>1 are full and delete some. So I might have deleted</p> <p>2 some e-mails that I got, but I don't think so.</p> <p>3 Q. Did you intentionally delete your</p> <p>4 e-mails with Mr. Meyer from that laptop?</p> <p>5 A. Well, as I said, I don't remember</p> <p>6 anything, deleting any specific e-mails. I just</p> <p>7 created more space in the outbox or inbox.</p> <p>8 Q. So you don't remember one way or another</p> <p>9 whether you deleted your e-mails with Mr. Meyer?</p> <p>10 A. Definitely not last summer because I</p> <p>11 didn't get access to my -- I didn't even open my</p> <p>12 computer up, so I never tried if I could still</p> <p>13 access it.</p> <p>14 Q. Had you deleted e-mails with Mr. Meyer</p> <p>15 before last summer, before the summer of 2019?</p> <p>16 A. I don't think so. I don't know. I</p> <p>17 don't know.</p> <p>18 Q. That's all the questions I have right</p> <p>19 now. Thank you.</p> <p>20 A. Uh-huh.</p> <p>21</p> <p>22 EXAMINATION</p> <p>23 BY MS. WALAS:</p> <p>24 Q. I'm just going to ask a few follow-up,</p> <p>25 Ms. Dixon.</p>	<p style="text-align: right;">Page 83</p> <p>1 were asked of you while giving deposition testimony</p> <p>2 in this case?</p> <p>3 A. I think I understood them all. If I</p> <p>4 didn't, I guess I was asked again.</p> <p>5 Q. And when answering a question, is it</p> <p>6 subject to your understanding of the question how</p> <p>7 you give an answer?</p> <p>8 MR. McINTOSH: Objection, leading.</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MS. WALAS:</p> <p>11 Q. And prior to your first deposition,</p> <p>12 January 24th, you received a subpoena, correct?</p> <p>13 A. Yeah.</p> <p>14 Q. And did you understand what you were</p> <p>15 supposed to produce after you got that subpoena?</p> <p>16 A. Possibly not, because I didn't produce</p> <p>17 what I was supposed to produce but I -- I thought</p> <p>18 it was concerning during my employment. I -- and I</p> <p>19 didn't take it too serious I guess. I'm not a</p> <p>20 legal person.</p> <p>21 Q. Okay. And after your first deposition</p> <p>22 on January 24th, did you understand better what you</p> <p>23 were supposed to have produced?</p> <p>24 A. Yeah.</p> <p>25 Q. And is that why you were able to produce</p>
<p style="text-align: right;">Page 82</p> <p>1 You were asked about lying in your</p> <p>2 previous deposition, do you remember that?</p> <p>3 A. I was asked about lying?</p> <p>4 Q. Yes.</p> <p>5 A. Yes, uh-huh.</p> <p>6 Q. Okay. And have you knowingly made</p> <p>7 any false statements during your January 24th</p> <p>8 deposition?</p> <p>9 A. No.</p> <p>10 Q. Have you made any knowingly false</p> <p>11 statements today?</p> <p>12 A. No.</p> <p>13 Q. Have you tried to hide anything when</p> <p>14 giving testimony in this case?</p> <p>15 A. No.</p> <p>16 Q. Have you tried to hide anything when</p> <p>17 responding to subpoenas in this case?</p> <p>18 A. No.</p> <p>19 Q. Have you done your best in answering</p> <p>20 your questions when giving testimony?</p> <p>21 A. Yes.</p> <p>22 Q. Or have you done your best at answering</p> <p>23 questions?</p> <p>24 A. I hope so. I believe so.</p> <p>25 Q. And have you understood questions that</p>	<p style="text-align: right;">Page 84</p> <p>1 more documentation after that deposition?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And you were shown Exhibit 91, if</p> <p>4 you want to grab that.</p> <p>5 A. Yeah.</p> <p>6 Q. And you were asked about E.Dixon 1, a</p> <p>7 letter from Mr. Meyer, correct?</p> <p>8 A. Correct.</p> <p>9 Q. And what's the date of that letter?</p> <p>10 A. December 11, 2019.</p> <p>11 Q. Okay. And the Exhibit 91 in front of</p> <p>12 you, if you can take a look at that and do you know</p> <p>13 if any of the documents produced in there are from</p> <p>14 before December 11th, 2019?</p> <p>15 A. Um, I don't think so.</p> <p>16 MR. McINTOSH: I'm going to object. The</p> <p>17 records speak for themselves.</p> <p>18 THE WITNESS: I think it's all after. Yes,</p> <p>19 this is December, February, yeah. No. Um, we are</p> <p>20 going back to the e-mails here, January. August</p> <p>21 3rd, 2016 is one, a governor letter, a letter from</p> <p>22 John Meyer to the governor.</p> <p>23 BY MS. WALAS:</p> <p>24 Q. And which Bates Stamp Number is that?</p> <p>25 A. That is E.Dixon 32 continuing on 33 and</p>

<p style="text-align: right;">Page 85</p> <p>1 we're back to after this December 11th, again, 2 February, in February. I think we -- besides this 3 one is before and everything else is after. 4 Q. Okay. So following up, everything 5 produced after your first deposition appears to be 6 correspondence dated after December 11th, except 7 for E.Dixon 32 to, I believe you said, 36? 8 A. Uh-huh. 9 Q. And if you'll go ahead and take a look 10 at E.Dixon 32 and that e-mail exchange from August 11 4th, 2016. 12 A. Uh-huh. That wasn't to me. It 13 was -- it says "Dear Governor Bullock." 14 Q. So in your opinion, did this e-mail 15 exchange have anything to do with the lawsuit? 16 MR. McINTOSH: Objection, calls for opinion. 17 THE WITNESS: No, he's writing about his 18 mother and women's wages. I don't even remember 19 that e-mail. 20 BY MS. WALAS: 21 Q. Okay. So that e-mail hasn't influenced 22 any of the opinions you have given in this case or 23 the testimony you've given? 24 A. No. 25 Q. Okay. Would you go ahead and take a</p>	<p style="text-align: right;">Page 87</p> <p>1 Q. And you were asked about some text 2 messages on E.Dixon 66 from December of 2018? 3 A. Uh-huh. 4 Q. Do you recall that questioning? 5 A. Yeah. 6 Q. Okay. And did you go to the party 7 Mr. Meyer invited you to? 8 A. If that was the get-together in the 9 canyon at their old house, then yes, I was there. 10 Q. Do you recall if -- when that party was 11 at the house in the old canyon? 12 A. It was -- well, according to these text 13 messages, some appetizers, December -- in December 14 2018. 15 Q. Okay. And if you turn to the next page 16 E.Dixon 67. 17 A. Yeah. 18 Q. What did you tell him at the top of that 19 page? 20 A. "I got home just now and still have to 21 feed my alpacas. Then up at 4 am again tomorrow 22 morning. Hopefully some other time. Have a great 23 evening!" 24 Q. Okay. So looking at that text message, 25 it appears that you didn't go to their home in</p>
<p style="text-align: right;">Page 86</p> <p>1 look at Exhibit 93 that you were given. 2 A. Okay. 3 Q. And what are these screen shots of? 4 A. These are text messages. 5 Q. Okay. And looking at E.Dixon 63 on 6 Exhibit 93, how did this text message string begin? 7 A. It says, "Evi, John Meyer here. 8 Elections are tomorrow and I'm running for 9 congress. Please vote. Big hug!" 10 Q. And did you respond to that text 11 message? 12 A. I said, "I can't. I am Austrian. I 13 will vote energetically." 14 Q. Okay. And did you and Mr. Meyer 15 continue to have a conversation after that? 16 A. The next one is in October 2018. That 17 was several months later. 18 Q. Okay. And you were asked about some 19 exchanges on the next page, E.Dixon 64, correct? 20 A. Yeah. I was asked for a new hat. 21 Q. Okay. And when Mr. Meyer brought up the 22 lawsuit, what did you tell him? 23 A. "I got the order from Big Sky lawyer: I 24 am not allowed to talk to you about this anymore! 25 Sorry!"</p>	<p style="text-align: right;">Page 88</p> <p>1 December of 2018 but there may have been another 2 instance? 3 MR. McINTOSH: Objection, leading and 4 hearsay. 5 THE WITNESS: Yeah, I was at their home once 6 and just had dinner with another -- there was 7 another person there and then Amanda and John. 8 BY MS. WALAS: 9 Q. Okay. And you were asked about recent 10 photos taken by Trina, correct? 11 A. Yeah. 12 Q. And when were those photos taken? 13 A. In January -- 14 Q. Of? 15 A. -- 2020. 16 Q. Okay. And did the photo you got in 2020 17 look the same as the photo you had seen from 2015 18 that you based your affidavit on? 19 A. The one that we -- I based the affidavit 20 on looked different than the one from Trina. 21 Q. Okay. If you'll go ahead and go to 22 Exhibit 91, page E.Dixon 15. 23 A. Uh-huh. Uh-huh. 24 Q. Do you recall being asked about the 25 first section starting with "It was the duty of</p>

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<p>1 Mr. Meyer?"</p> <p>2 A. Yeah.</p> <p>3 Q. And you were asked to read what you had</p> <p>4 written underneath the bold print, correct?</p> <p>5 A. Uh-huh.</p> <p>6 Q. And what portion of that were you asked</p> <p>7 about?</p> <p>8 A. Oh, I don't know if I read this or had</p> <p>9 to read this but, Ian asked me if I think that</p> <p>10 Mr. Meyer's responsible for his own -- for his own</p> <p>11 fall or accident, I don't know.</p> <p>12 Q. And what did you say?</p> <p>13 MR. McINTOSH: Objection. The document</p> <p>14 speaks for itself, hearsay.</p> <p>15 BY MS. WALAS:</p> <p>16 Q. Well, you wrote this document, correct?</p> <p>17 A. So the bold print is from the Mr. P,</p> <p>18 Petrozzi or however you say his name, and I wrote</p> <p>19 underneath.</p> <p>20 Q. Okay. And what did you write?</p> <p>21 MR. McINTOSH: Objection. Hold on.</p> <p>22 Objection; undisclosed expert opinion, hearsay, and</p> <p>23 the document speaks for itself.</p> <p>24 MS. WALAS: You can answer.</p> <p>25 THE WITNESS: So I can read? Should I read</p>	<p>1 A. Yes.</p> <p>2 Q. And do you know -- who did you meet with</p> <p>3 the day before your deposition?</p> <p>4 A. With you.</p> <p>5 Q. Okay. And do you know if I asked</p> <p>6 Mr. Meyer to set up that meeting for me?</p> <p>7 A. Yes.</p> <p>8 Q. Now you were asked if you've reviewed</p> <p>9 Mr. Meyer's deposition testimony, correct?</p> <p>10 A. Yeah.</p> <p>11 Q. And you have not, correct?</p> <p>12 A. Yeah.</p> <p>13 Q. Have you had any conversations with</p> <p>14 Mr. Meyer about this accident and what he recalls</p> <p>15 happened?</p> <p>16 A. Before my first deposition?</p> <p>17 Q. Yes.</p> <p>18 A. Yeah.</p> <p>19 Q. And did those conversations with</p> <p>20 Mr. Meyer influence the opinions you gave in this</p> <p>21 case?</p> <p>22 A. No.</p> <p>23 Q. And you were also asked about your</p> <p>24 employment with Big Sky ending?</p> <p>25 A. Yeah.</p>
Page 90	Page 92
<p>1 what I said? "Yes skiers are responsible for their</p> <p>2 own safety! Not repeating the statement of 'what</p> <p>3 was there to be seen' et cetera. If he would have</p> <p>4 seen the cat track he would not have been fallen</p> <p>5 over it. It is not the case that Mr. Meyer was</p> <p>6 skiing totally out of control or sliding down the</p> <p>7 slope. He was just skiing and probably did not see</p> <p>8 the cat track."</p> <p>9 Q. Okay. And when you were asked about</p> <p>10 that earlier in your deposition, you were only</p> <p>11 asked about the first part of your statement there,</p> <p>12 correct?</p> <p>13 A. Uh-huh, yes.</p> <p>14 Q. Okay. Go ahead and turn to what's been</p> <p>15 marked -- what's E.Dixon 19 in that same document.</p> <p>16 A. (Witness complies.)</p> <p>17 Q. And do you recall being asked questions</p> <p>18 about the statement you made at the top of that</p> <p>19 page about 200 feet above?</p> <p>20 A. (Witness shakes head.)</p> <p>21 Q. You don't recall being asked about that?</p> <p>22 A. No.</p> <p>23 Q. Okay. If you'd go ahead and turn to</p> <p>24 E.Dixon 30, do you recall being asked about a</p> <p>25 meeting set up before your deposition?</p>	<p>1 Q. And what was your reasoning again that</p> <p>2 you believe that your employment ended with Big</p> <p>3 Sky?</p> <p>4 A. Because I posted on Facebook about what</p> <p>5 my husband did to me.</p> <p>6 Q. Okay. And were you hurt by what</p> <p>7 happened in your marriage with Bob?</p> <p>8 A. Very.</p> <p>9 Q. And was that post reflective of that?</p> <p>10 A. I posted it because I was tired of lying</p> <p>11 for him, and as soon as I knew all the lies, which</p> <p>12 was early in our marriage, I was already working in</p> <p>13 Big Sky and I covered it up for him out of respect</p> <p>14 to him and it hurt.</p> <p>15 Q. And if I remember correctly from your</p> <p>16 first deposition, have you and Bob reconciled in</p> <p>17 terms of are on a friendly basis?</p> <p>18 A. Well, I'm a friendly person so I'm</p> <p>19 talking to him as a normal human being. We</p> <p>20 still -- we got divorced in October and there's</p> <p>21 still some paperwork that needed to be exchanged</p> <p>22 and I have a granddaughter that he loves. It's his</p> <p>23 step granddaughter and so we went out for dinner</p> <p>24 the other day. I think we are pretty civil.</p> <p>25 Q. Okay. And so your divorce with Bob,</p>

<p style="text-align: right;">Page 93</p> <p>1 does that influence your testimony here?</p> <p>2 A. No, I can -- no.</p> <p>3 Q. And did not being rehired at Big Sky</p> <p>4 influence the conclusions and opinions you gave in</p> <p>5 this case?</p> <p>6 A. No.</p> <p>7 Q. And I believe you were asked at the very</p> <p>8 beginning of your deposition about Facebook</p> <p>9 messages and text messages and things such as that</p> <p>10 and you mentioned a birthday message?</p> <p>11 A. Yeah.</p> <p>12 Q. And you said you have that on your</p> <p>13 phone?</p> <p>14 A. Yeah.</p> <p>15 Q. And if you'll go ahead -- and since it</p> <p>16 wasn't produced, we'll go ahead and read it into</p> <p>17 the record.</p> <p>18 MR. McINTOSH: Okay.</p> <p>19 THE WITNESS: I said, "Happy Birthday, John.</p> <p>20 Hope you will be celebrated. How are you?"</p> <p>21 BY MS. WALAS:</p> <p>22 Q. And did he respond?</p> <p>23 A. He did respond. He says, "Hi Evi.</p> <p>24 Thank you for the Birthday wishes. I'm doing well.</p> <p>25 The babies ensure [sic], I don't get much sleep.</p>	<p style="text-align: right;">Page 95</p> <p>1 Facebook, between the date of his accident in</p> <p>2 December of 2015 and December of 2019?</p> <p>3 A. I don't know. Let's count them.</p> <p>4 Q. Hundreds?</p> <p>5 A. Well, I have not counted the messages.</p> <p>6 Q. And have you produced all of</p> <p>7 your -- have you now produced all of your text</p> <p>8 messages with Mr. Meyer?</p> <p>9 A. Yes.</p> <p>10 Q. Have you now produced all of your</p> <p>11 e-mails with Mr. Meyer?</p> <p>12 A. Yes.</p> <p>13 Q. And when you responded to the subpoena,</p> <p>14 the first subpoena that you received, you were</p> <p>15 working with Mr. Meyer and he was helping you</p> <p>16 respond, right?</p> <p>17 A. We had communication.</p> <p>18 Q. About the subpoena, right?</p> <p>19 A. Yeah, uh-huh.</p> <p>20 Q. And he's a lawyer, right?</p> <p>21 A. Yeah.</p> <p>22 MR. McINTOSH: That's all I have. Thank you,</p> <p>23 Ms. Dixon.</p> <p>24 THE WITNESS: Uh-huh.</p> <p>25 MS. WALAS: I don't have anything else. I</p>
<p style="text-align: right;">Page 94</p> <p>1 But if that is my biggest complaint, I'm in good</p> <p>2 shape. Let's chat tomorrow afternoon. Don't</p> <p>3 forget you can never go wrong with the truth."</p> <p>4 Q. And have you spoken to Mr. Meyer since</p> <p>5 you had that conversation?</p> <p>6 A. No.</p> <p>7 MS. WALAS: I don't have anything further.</p> <p>8 RE-EXAMINATION</p> <p>9 BY MR. McINTOSH:</p> <p>10 Q. Ms. Dixon, are those all your</p> <p>11 communications with Mr. Meyer that you've sent</p> <p>12 recently?</p> <p>13 A. On my phone?</p> <p>14 Q. Yes.</p> <p>15 A. That I sent since October 20, 2019,</p> <p>16 there is one and then the next one is a happy</p> <p>17 birthday message.</p> <p>18 Q. Can I review those to make sure they've</p> <p>19 all been produced?</p> <p>20 A. Sure.</p> <p>21 Q. And what you're showing me are your</p> <p>22 messages with Mr. Meyer on Facebook, correct?</p> <p>23 A. Those are on Facebook, yes.</p> <p>24 Q. How many communications did you have</p> <p>25 with Mr. Meyer, whether by text, e-mail or</p>	<p style="text-align: right;">Page 96</p> <p>1 just shook my head.</p> <p>2 VIDEO TECHNICIAN: This now ends the</p> <p>3 deposition. The time is 12:06 p.m.</p> <p>4</p> <p>5 (Whereupon, the taking</p> <p>6 of this videotaped deposition</p> <p>7 was concluded at 12:06 p.m.)</p> <p>8</p> <p>9</p> <p>10 SIGNATURE WAIVED</p> <p>11</p> <p>12</p> <p>13 * * * * *</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

1 CERTIFICATE

2 STATE OF MONTANA)

3) ss.

4 COUNTY OF GALLATIN)

5 I, Marla Jeske, Court Reporter - Notary
6 Public, CSR, in and for the County of Gallatin,
7 State of Montana, do hereby certify:8 That the witness in the foregoing
9 deposition was by me first duly sworn to testify
10 the truth, the whole truth and nothing but the
11 truth in the foregoing cause; that the deposition
12 was then taken before me at the time and place
13 herein named; that the deposition was reported by
14 me in shorthand and later transcribed into
15 typewriting under my direction, and the foregoing
16 pages contain a true record of the testimony of the
17 witness, all done to the best of my skill and
18 ability.19 IN WITNESS WHEREOF, I have hereunto set
20 my hand and affixed my notarial seal this ____ day
21 of _____, 2020.22 _____
23 Notary Public for the State of Montana
24 residing at: Bozeman
25 My commission expires: February 04, 2023

A	allows 14:3,5,7	51:3,14,24	2:12 4:14	15:11,14,24
a.m 1:20 4:16	alpaca 63:24	54:7 68:16	aware 30:19,21	16:5 23:17
ability 97:18	alpacas 6:24	areas 20:19,22	31:1,5 57:20	24:3,9 27:20
able 78:24 83:25	10:11 15:2	53:9,24 54:1	65:1	28:9,15,21,22
access 81:11,13	24:16 30:18	asked 5:18 6:16	Ayres 3:8 76:18	28:24 32:5,6
accident 8:13	61:11 64:6	7:22 8:9,20 9:1	76:23 77:5	35:1 39:20
9:7 10:5 11:4	87:21	9:5,8 10:7,18	B	52:4 55:22
17:14,15,15,17	Amanda 88:7	12:12 13:15	B	56:6,11,21
17:23 18:20	ambiguous	14:10 15:4	B 3:4	57:15,19 59:24
20:4,5,15	16:22,25 17:1	16:8 18:2	babies 18:11	60:2 61:1
24:12 30:23,23	Annotated 3:10	20:13,16 23:13	93:25	64:22 73:11,24
47:1 51:24	answer 8:11	23:16,24 24:5	back 14:12	74:2,17 75:5
54:8 67:1,12	9:10 10:10,13	24:15 25:8,13	23:20 29:19	76:4,24 77:19
67:20,25 68:9	11:12 12:20	25:18 26:2,4	33:12 41:21	78:1,4,21
69:14 89:11	14:2 31:16	29:14 32:9	43:15,17 46:19	80:11,19 86:9
91:14 95:1	32:9,16 35:10	35:9 36:11,24	47:9 56:9 57:1	86:23 91:24
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